

EARLY TUDOR DRAMA

MEDWALL, THE RASTELLS, HEYWOOD,
AND THE MORE CIRCLE

BY

A. W. REED, M.A., D.LIT.

UNIVERSITY READER IN ENGLISH LANGUAGE AND
LITERATURE, KING'S COLLEGE, LONDON

WITH NINE ILLUSTRATIONS



METHUEN & CO. LTD.
36 ESSEX STREET W.C.
LONDON

First Published in 1926

PREFACE

IT is more than thirty-six years since Professor Alfred W. Pollard wrote the original Preface to his *English Miracle Plays, Moralities and Interludes*, and it is three years since he published the seventh edition, revised, with a new section on the *Interlude*. In this new section he paid me the very high compliment of inserting a bibliography of contributions that I had published bearing upon it; but he did not quite tell the whole story. It was he himself who was responsible for their first publication.

I had had several interesting discussions with Sir Israel Gollancz on Early Tudor drama, and undertook, on his suggestion, to see what I could do towards determining the dating of Heywood's plays. This led me into a long series of quests at the Record Office, the British Museum and Somerset House; and when I had reduced my results to a presentable form, my friend, Dr. R. B. McKerrow, who had often listened patiently to my accounts of what I was doing, sent me with the typed script of *John Heywood and His Friends* and *The Canon of John Heywood's Plays* to Mr. Pollard, whom I then met in his room in the British Museum for the first time. Mr. Pollard got me to break up the book into four parts, and these appeared in *The Library* in July and September 1917 and January and April 1918. At the same time he invited me to

read a paper before the Bibliographical Society on John Rastell, which I did on 19th November, 1917, to an interesting audience presided over by the late Sir William Osler, the paper appearing subsequently in the *Transactions* of the society in 1920. Meanwhile, in July 1918, Mr. Pollard had printed in *The Library* my article on the *Wyndow Edyth*, and I recall the difficulty of handling the proofs in a hut as a full private. A short leave granted after the Armistice enabled me unexpectedly to read myself, on 18th November, 1918, before the Bibliographical Society, the paper on "The Regulation of the Book Trade before the Proclamation of 1538," which appeared in due course in the *Transactions*. *The Library* for January 1919 contained my article on "John Rastell's Plays", and when the paper had been printed which I read on 19th February, 1923, before the society on "William Rastell, the Editor of More's English Works", Mr. Pollard might have claimed to have rounded off my work.

In the course of my talks with him I had told him of a discovery I had made at the Museum of the Caxton source of Henry Medwall's *Fulgens and Lucres* and of information I had been able to gather about this as well as about Medwall. Of this remarkable play only the Bagford fragment of two leaves was then known, and when Mr. Pollard told me early in 1919 that the perfect Mostyn copy was announced for sale by Sotheby's, I had the exciting experience of handling the play in the sale-room and of saying what I knew of Medwall, his play, and its sources in an article in *The Times Literary Supplement* on 3rd April, 1919.

The inquiries into the dating of John Heywood's

plays, upon which I had at first set out, had become much wider than I had expected; and when Sir Israel Gollancz, at whose suggestion I had begun my searches, invited me to read a paper before the Shakespeare Association on 29th February, 1920, I chose as my title, "The Beginnings of the English Secular and Romantic Drama," a title which seems to me to represent fairly accurately what my work has led me to. Since then I have had the pleasure of collaborating with my friend, Dr. F. S. Boas, in producing an edition of *Fulgens and Lucrez* based on the facsimile published, with characteristic public spirit, by Mr. Henry Huntington, the American owner of the Mestyn copy.

I am justified, I think, in referring thus at some length to the history of my indebtedness to Mr. Pollard, and in retaliating upon him for the very generous references he has made to my work in his *English Miracle Plays*, by indicating how very much he himself is responsible for any little disturbance I may have caused in his earlier account of the *Interlude*.

But the papers and articles that I have been publishing in this way since 1917 are necessarily scattered and are not generally accessible, and I have had it in mind for some time to make them into a book. This I could do in one of two ways, either by rewriting the whole and so avoiding the repetitions and loose ends that seemed to be inevitable in a number of papers contributed at different times for different purposes, or by altering the original form of my work as little as possible and trusting to my ability so to rearrange it that it should exhibit its own continuity and unity. I

have chosen the latter alternative, because I believe that it reflects more truly the actual process of searching of which the book is a record.

One result of my inquiries has been to confirm me in the opinion that the surest way of adding to our knowledge of the life and work of any of our older writers is to extend the field of investigation by including all their more immediate associates. No one whose opinion matters is likely to underestimate the value of the *Dictionary of National Biography*; but to depend for one's knowledge of a man of letters or of affairs upon the biographical details set out in a dictionary, in which he figures in isolation in an alphabetical position, is not likely to carry one far. I have no doubt been fortunate in the fact that the circle of John Heywood's friends was a particularly interesting and significant one, and that its members have left behind them striking evidence of their activities. The circle has More as its centre, and, whilst it includes the household of Cardinal Morton, where More and Medwall must have known one another in the days of Henry VII, it includes also Jasper Heywood, a page in the household of the Princess Elizabeth, translator of Seneca, and, later in his life, head of the Jesuit Order in England. It includes John Rastell, who died for his Protestantism in 1536, and his son William, the judge, who fled from England, a Catholic refugee, in Elizabeth's reign. There is material here for a study in family life done after the manner of the *Forsyte Saga*.

My obligations to those who have helped me are many and not easily expressed. I wish par-

particularly to record my thanks to Mr. Lionel Jacob, of the Working Men's College, a great friend to many students of literature; to Miss F. Jeffries Davis, who came to my assistance when I was working on Grindal's *Visitation* in the library of St. Paul's Cathedral; to Mr. H. R. Plomer; to Mr. Fincham and Mr. Hudson, formerly of Somerset House; to Mr. Thomas, Keeper of the Town Clerks' Records at the Guildhall; to my friends, Dr. W. W. Greg, Dr. F. S. Boas, the late Mr. D. T. B. Wood (of the Manuscript Department at the British Museum), Mr. Hilary Jenkinson, Mr. O'Reilly and Mr. Ratcliff of the Public Record Office; and to the President of Corpus Christi College, Oxford, who, I hope, may yet find a reference to John Rastell in the letters of Erasmus. I have also to express my thanks to the Marquis of Salisbury for permission to print for the first time John Heywood's second letter to Lord Burleigh (p. 237), and to his librarian, the Rev. W. Stanhope Lovell, whose friendly courtesy I am not likely to forget.

A. W. REED.

October 3, 1926.

CONTENTS

	PAGE
PREFACE	vii
CHAPTER	
I. JOHN RASTELL, PRINTER, LAWYER, VENTURER, DRAMATIST, AND CONTROVERSIALIST	I
II. THE HEYWOODS	29
III. THE PRINTER OF HEYWOOD'S PLAYS: WILLIAM RASTELL	72
IV. THE BEGINNINGS OF THE ENGLISH SECULAR AND ROMANTIC DRAMA. I.	94
V. THE BEGINNINGS OF THE ENGLISH SECULAR AND ROMANTIC DRAMA. II.	118
VI. THE TWELVE MERRY JESTS OF THE WIDOW EDYTH AND THE HOUSEHOLD OF MORE	148
VII. THE REGULATION OF THE BOOK TRADE BEFORE THE PROCLAMATION OF 1538	160
APPENDICES—	
RASTELL I: THE VOYAGE IN THE YEAR 1517	187
„ II: RASTELL IN IRELAND	202
„ III: LAW BOOKS AND PREFACES.	206
„ IV: "THE PASTYME OF PEOPLE"	211
„ V: PROLOGUE TO THE "NEW BOOK OF PURGATORY"	217
„ VI: RASTELL AND JOHN FRITH	220

	PAGE
RASTELL VII: MORE'S ADVENTURE WITH THE FRIAR OF COVENTRY	224
VIII: RASTELL'S HOUSE AND STAGE IN FINSBURY FIELDS	230
HEYWOOD I: THE DRAMATIST; CONFUSIONS WITH OTHERS OF THE SAME NAME	234
. II: HEYWOOD'S SECOND LETTER TO LORD BURLEIGH	237
MEDWALL: PRIOR GOLDSTONE'S SUIT AGAINST HENRY MEDWALL	239
INDEX	241

LIST OF ILLUSTRATIONS

RYCHARDE CURE DE LYON From the British Museum copy of Rastell's <i>Pastyme</i> <i>of People</i> .	Frontispiece .
PRINTER'S DEVICES USED BY JOHN RASTELL From the British Museum copy of Rastell's <i>Liber</i> <i>Assisarum</i> (1513).	FACING PAGE 20
JOHN HEYWOOD From the Museum copy of <i>The Spider and the Flie</i> .	66
HEYWOOD'S HAND AND THE MS. OF "WITTY AND WITLESS" (a) From the MS. of the play (see p. 123 n.). (b) Heywood's hand in 1575 (see p. 37). (c) His signature to a lease in 1539 (see p. 57).	124
THE LAW OF NATURE Berthelet succeeded Pynson as King's Printer in 1530, but Rastell printed the Statutes for 1529, and em- ployed this symbolical capital (see p. 209).	186
WILLIAM THE CONQUEROR From <i>The Pastyme of People</i> .	212
WILLIAM THE CONQUEROR From the fifteenth-century window in St. Mary's Hall, Coventry.	212

EARLY TUDOR DRAMA

CHAPTER I

JOHN RASTELL, PRINTER, LAWYER, VENTURER,
DRAMATIST, AND CONTROVERSIALIST

I

THERE were two John Rastells, men of distinction in the reign of Henry VIII, the one a wealthy cloth-maker of Gloucester, whose antecedents are known to us from a Chancery suit,¹ and the other, the subject of this paper, John Rastell, the printer, brother-in-law of Sir Thomas More. The printer's family belonged to Coventry, where Thomas Rastell, presumably his grandfather, held office as Warden in 1443.² The Warden's son, Thomas Rastell, was a man of legal attainments. In 1471 he took an active part in meeting the troubles that fell upon Coventry after the defeat and death of Warwick at Barnet. Later he sat on the Commission for Warwickshire, and along with Sir Thomas Lyttelton, was one of the Quorum.³ This association would be in his son's mind when he printed Lyttelton's *Tenures*.

The earliest notice of John Rastell occurs in the Corpus Christi Gild Book in 1489, when the first of a series of instalments of his gild fee was paid on his behalf by Joan Symonds, widow of an ex-mayor of Coventry. The entry of the second instalment mentions his father, Thomas. At his admission was at the age of fourteen, 1475 would be the year of his birth.

¹ P.R.O., Early Chancery Proceedings, 439/10.

² *Coventry Lest Book* (E.E.T.S.), ed. Dormer Harris.

³ Pat. Rolls, Ed. IV 1478-80.

Rastell's legal education was probably acquired at the Middle Temple, for there is a reference in the Bench Book to a fine on "Rastell an utter Barrister for absence from the Parliament of the Inn", dated 29th January, 1501-2.

An entry¹ in Henry VII's Book of Payments shows that he was already associated with the Mores in 1499 when John More, John Rastell, Thomas More, and another furnished securities for the repayment of a loan or debt of one hundred marks, an obligation which they duly met in the following year.

That he was already married by 1504 to Elizabeth More is suggested by a Hustings Deed at the Guildhall of that year (231/1-2) of a quit-claim of a tenement by Sir John More to his sons-in-law John Rastell and Richard Staverton. John More had been fined £100 by way of retaliation for the action of his son Thomas in successfully resisting in Parliament the royal demand for a subsidy of three-fifteenths. While his father thus set about raising the £100, Thomas More sought the seclusion of the Charterhouse, where he found peace of mind in the translation of the Life of Pico della Mirandola and consolation in penning Latin epigrams on tyrants.

Rastell's early married life was spent in Coventry, where, in 1506, he succeeded his father as Coroner, presiding over the Court of Statute Merchant, and acting as clerk of recognizances of debts. It was during this time that he was visited by his brother-in-law, and we have an entertaining account of an adventure that befell More during the visit. The story which is translated in the Preface to Day's *Descant on the Psalms*, is found in one of More's Latin letters defending Erasmus's *New Testament*, printed in the *Epistolae aliquot eruditorum* of 1520. More went to Coventry to see his sister and had no sooner alighted than the unexpected question was put to him whether a man could be eternally damned who daily read Our Lady's Psalter. It seems that an old Franciscan had established the cult of the Psalter

¹ P.R.O., King's Book of Payments, E. 415/31 (f. 20 r.).

in Coventry, and excited a remarkable public following; for, says More, "he showed so easy a way to Heaven". But More was not allowed to find shelter in his sense of humour. He was asked out to supper and the Friar turned up with a boy, "a tergo cum codicibus". The question was asked again. More kept silence, the Friar "barked and brawled" for two hours. Then More replied judicially that though a prince might grant a pardon at the queen's request, he would hardly make a law granting immunity to all who should perform some office for her. But the Friar was mightily extolled, and More laughed at for a fool.

The circumstances referred to in More's anecdote are illustrated in an interesting way by the will of Thomas Bonde, who, like many of the cloth-merchants of the Midlands, was a "merchant of the Staple of Calais". He died early in 1507, during Rastell's Coronership, and founded by his will the well-known "bede-house" and Chapel at Bablake in Coventry for ten poor men of the two great Gilds of the Trinity and Corpus Christi, "the said x poore men (being) bounden euery day to say three times Our Lady's Psalter for all the brethren and sustren of the Trinity Guild . . . and at every dirige they shall set knelyng and say our ladyes psalter".¹

In the same year (1507) there died at Coventry a wealthy mercer, Richard Cooke,² like Bonde an ex-Mayor, who appointed Rastell an overseer of his will. After directing that "there shall be as little coste done at his burials as may be with honestie", he bequeaths one *Bible in English* to Trinity Church, Coventry, and another to Walsall Parish Church. Here, on the other hand, we have an apparent case of Lollardry, and it is interesting to find that Rastell was looked upon as the kind of man who might be expected to see Cooke's directions carried out. One wonders if it led to Rastell's resignation of the Coronership in 1508-9. The *Bible in English* can only have been the English version associated with Wycliff's name and for

¹ P.C.C. 22, Adeane.

Ibid. 29, Adeane.

which Mr. A. W. Pollard has suggested the fitting title of *The Oxford Bible*.

Before passing on,^{*} will briefly refer to the other evidences of Rastell's connection with Coventry. In 1502-3 he prosecuted Roger Byrd, a wealthy tenant at Capel Bromwich, for non-fulfilment of contract in respect of his lease and again later for the recovery of evidences relating to a property at Kenilworth. These are the earliest of Rastell's many Chancery suits. In the same year, 1502-3, the Warwickshire Feet of Fines show him to be associated with Thomas Bonde, whose will we have noticed, in the purchase of 5 acres of land at Corley from John Faux of Coventry. In 1504-5 he was nominated to act with the Mayor of Coventry and others in an inquest into the status of an alien, Nicholas Reyes, Doctor of Medicine, a Greek, who had acquired property in Coventry. In 1508 a certain John Peytoo was licensed to enfeof John Rastell, George, Richard, Michael and Anthony Throckmorton, Charles Seynt Germain and others in a crown messuage of 600 acres in Warwickshire.

Joan Symonds, who stood *in loco parentis* to Rastell in 1489, died in 1507 and he benefited considerably by her will,[†] the disposition of her wealth being left almost entirely in his hands. In the following year he resigned the Coronership, and although we have no evidence that his official connection with Coventry was continued after 1508, Anthony Fitzherbert was appointed to the Recordership of the city in 1509, and it is not improbable that Rastell was associated with Fitzherbert from 1508 to 1512. His eldest son, John, was entered as a member of the Corpus Christi Gild in 1511, the regular payments being completed in 1513. Rastell's connection as coroner with the wealthy wool-merchants of

^{*} Joan Symonds was god-mother to Rastell's daughter Joan, who afterwards married John Heywood, the dramatist, and left her a bed, a maser and a girdle. The following interesting provision occurs in the will: "*Item to the childe-bisshop for the tyme being my cloke of scarlet to make him a Robe of on the condition that the bisshop with the children shall come to my husband's grave and myn and there say De Profundis for my husband's soul and myn the same day that they do at the grave of Thomas Wyldegrease in the Drapers Chapell.*"

the city is important in its bearing on his subsequent interest in business affairs. We have also in his long connection with the city and county of Coventry an explanation of his interest and activity in the devising of pageants and interludes, and we may hazard the suggestion, to be justified later, that he was interested in the pageant of the "nine hierarchies of angels" provided for the visit to Coventry of the young king Henry VIII and his queen in 1510.¹

It may be well, before we pass on to Rastell's London life, to pause and take stock of the bearing of his Coventry experiences upon his later interests and activities, for by the time he had reached his thirty-fifth year these must have been fairly definitely determined.

When Leland wrote of Coventry towards the end of the reign of Henry VIII, he found that the glory of the town was much decayed, but during Rastell's younger days that glory had diminished but little, and he must have taken an active interest in the regular yearly cycle of civic ceremonies, gild festivities and observances, pageants and plays that were the peculiar glory of the Midland capital. He may have been present at the costly receptions of Henry VII and his queen in 1493 and 1500, when they "much commended" the plays at the Gray Friars, and were made brother and sister of the two great Gilds. His pre-eminence as a deviser of pageants and writer and producer of plays may be adequately accounted for by a Coventry upbringing. Seeing that he was by disposition inventive and a promoter of innovations we shall be prepared to find that the development of the new drama, which we now trace to Medwall, owed much to Rastell as Medwall's successor.

But below the external brilliance of the corporate life of Coventry, we discover a ferment of discord and division. During Rastell's youth, Laurence Saunders came near

¹ King Henry ye eight and his queen came to Coventry and there was three pageants set forth, one at Jourdain Well of ye nine orders of Angells, one at Broadgate with divers beautifull damselfs and one at Cross Cheping with a goodly stage play and so passed to ye priory where he lay.—B.M., Add. MSS. 11364.

to success in his long fight on behalf of the commoners and craftsmen against a conservative Recorder and the ruling classes. Discontent at the invasion of the public grazing rights on the Lammas lands and a general resentment under a sense of oppression, demanded only a resolute leader to move the poorer citizens to mutiny, and this leader they found in Saunders, who, it should be noted, was himself of the privileged classes, son of a former mayor of the city.¹

Rastell emerged from these and like experiences a radical reformer, and there is little in the social criticism of his brother-in-law's *Utopia* with which he would not find himself in hearty agreement.

Moreover, just as the city was divided by social problems, so in religious life there was a well-established cleavage. The Prior and the conservative churchmen had long been opposed by the upholders of the right of the lay folk to control the public instruction of their children. The town had insisted on the maintenance of a schoolmaster who, being paid by one of their guilds, should be under citizen control. But this spirit of independence had untoward results, and Coventry had a sad record of Lollard burnings. Here again Rastell's subsequent history suggests that he was of the party of the Reformers, and the office he was called upon to execute as overseer of Cooke's will in 1507 shows that he was then one of those who urged the recognition of the *Bible in English*.

The wealthiest citizens of Coventry were merchants of the Staple of Calais. Rastell's associations with them, both socially and professionally, were intimate, and it is natural that he should be accustomed to look with wide interest on life beyond the narrow seas. It cannot be postulated that it was Coventry that bred in him the spirit of the venturer, but it is unlikely that a lawyer more than forty years old should attempt a voyage to the New Found Lands with a cargo of stuffs, unless the impulse of adventure, speculation and travel had been confirmed in him when he was younger.

¹ *Coventry Last Book*.

II

The passage from life in Coventry¹ to life in London was probably not an abrupt one. Rastell was well known in London legal circles as a member of the More family ; but by 1512 he was in the service of Sir Edward Belknap, brother-in-law of Henry Smyth of Coventry, Clerk of the King's Works, and had moved south. A Privy Councillor to Henry VII and Henry VIII, Belknap held many offices of trust ; he was frequently employed on special work in France, and important diplomatic negotiations were entrusted to him.² Rastell served with him through the French War of 1512-14.

Two documents belonging to the month of December 1514 throw light on the nature of Rastell's services in the war. From these we learn that he was appointed by Belknap overseer for the unloading at the Tower of " eighteen hoyes lately comen from Calais with the kinges ordenance and fare cartes ", and later for the " drawing (of) two great gonnnes called culyvers into the Bulwerk and bearing iron shott into the Tower and bestowing cartes from the Tower wharf dispatched oute of (certain other) hoies ". He is described as John Rastell, Gent. ; he had a subordinate officer and a considerable body of carpenters and labourers under him and was paid at the rate of twelve pence a day. The transport of artillery, without which Henry could not have taken Terouenne, was one of the chief problems of the campaign. From the fact that Rastell was appointed to see the guns and carriages safely " bestowed " when their work was done, we may infer that he had won respect by his achievements in similar undertakings. Hall's account of the campaign and his references to the foundering of heavy guns in soft ground suggest that Rastell may well have found opportunities of showing his resourcefulness.

¹ The activities of Belknap are fully recorded in *Letters and Papers of Henry VIII*. Dugdale deals with his Warwickshire associations. He not noticed in the *D.N.B.*

Later, in the French campaign of 1523 he served as a "trench maker", was paid two shillings a day, and was allowed two personal servants (*L. and P. H. VIII*, vol. iii).

To bibliographers the years 1508-12 are of unusual importance because Rastell emerged from them a London printer with two devices and an establishment at Paul's Chains near the Deanery on the south side of the Churchyard.¹ Yet Rastell's introduction to printing is not unconnected with Coventry, for the *magnum opus* of the Rastell press was the *Grand Abridgment of Cases* of Anthony Fitzherbert, the Recorder of Coventry.² These three folio volumes were finished by the end of 1516, but they had been announced by Rastell in his *Liber Assisarum* in 1513. It appears that he had about the year 1512 entered upon an ambitious scheme of law printing, and he found in the small secretary type used by Rouen printers for their service books or *Horae* a type admirably fitted for the close printing of law-French. There is no reason to suppose that he had the printing done at Rouen, for he himself owned the founts and used them as late as 1528. That he went to France for them there can be little doubt, for a glance at a page of the English preface to the *Liber Assisarum* shows that he had had to supply the French deficiency in the letter *w* by having it cast, and it was not well done.

At the end of 1514 Belknap, who had been knighted at Tournai, was handsomely rewarded for his public services

¹ He had already printed at least one book—unfortunately undated—at an earlier address. More's translation of the *Life of Pico della Mirandola*, "emprynted by Johan Rastell dwellyng at ye flete brydge at the Abbot of Wynhecombe his place". This preceded the undated edition by Wynkyn de Worde, who, judging by the crowding at the foot of de Worde's pages, printed from it, probably piratically. That More did not correct Rastell's proofs appears from the passage on Circe:

Ther was sumtyme in [space] A woman called Circes.

The gap should contain *Asaea*, which Rastell, honestly defeated, omitted. The pirate boldly printed it: *Ther was sumtyme in a woman called Circes.*

² It is interesting to note that in 1506-7, while Rastell held the office of Coroner of Coventry, Richard Pynson, who became the King's printer a year later, was admitted a member of the *Corpus Christi Gild*.

by the grant of an annuity of £100, and on the 7th October of the following year he secured for his servant a curious reward in a grant by indenture of the lands, tenements, goods and debts of the well-known heretic, Richard Hunne, together with the wardship of Hunne's two daughters, on an undertaking by Rastell to pay to the Crown in 1522 the sum of 810 marks, the dowry of the two girls.¹

The story of Richard Hunne is told by Miss F. Jeffries Davis, in the *Victoria County History of London*, where its significance in the history of the Reformation in London is very justly emphasized. Early in 1515, the Bishop's Chancellor had been indicted for the murder of Hunne, a wealthy Merchant Taylor, who had been found hanged in the Lollard's Tower just before Christmas, 1514. In spite of the fact that he was already about to answer a charge of heresy, Hunne had refused to his curate the customary payment or "offering" of a *mortuary* for the burial of his infant child.

From the point of view of the ecclesiastical historian the interest of Hunne's case lies in the fact that his resistance to the claims of the clergy to offerings was supported by the feeling of the City, where the whole question of tithes and offerings was in debate. A coroner's inquest found for murder. The ecclesiastical court traversed the finding and adjudged Hunne a heretic *post mortem*. His goods thus

¹ Of course, this grant to Rastell ultimately led to a series of law-suits. The following is the preamble of Rastell's Bill of Complaint in his first Hunne Chancery suit, some time in the year 1523 (E.C.P. 560/47):

"Piteously compleyneth yo^r pore orator John Rastell . . . that where your seyed orator John Rastell belonging to Sir Edward Belknap knyght dyd oftyme service to the kyng our Sovereyn Lord as well on thys syde the see as beyond at the instance of the sayd Sir Edward, to the grete labor, study cost and charge of your sayd orator and never had recompence nor reward for the same. The said Sir Edward for some recompence to be made to yo^r seyed orator John Rastell, laboryd unto o^r seyed sovereyn lord that yo^r seyed orator might have the goods of one Richard Hunne and the custody of the bodies of one Marget Hunne and Mary Hunne daughters of the said Richard Hunne to be married at the appoyntment of yo^r seyed orator which indendyd that tyme to bestowe the sayd ij daughters upon his two sonnes in maryage because they were lyke and convenient of age, wherupon the king's highness so being content commandyd the right honorable lord Marquis Dorset, the sayd Sir Edward and Sir John Dancy Knyghts to make a bargayn with your sayd orator with and for the same.

became confiscate to the Crown, and his daughters, Margaret and Mary, became the King's wards.

In January 1514¹–15 Rastell took a country house at Monken Hadley, near High Barnet, on a thirty years' lease, at a rental of £6 3s. 4d., and on the 25th April following he acquired a ten years' lease of a manor hard by, named Lydgraves, which is described in Lyson's *Middlesex*. These leases, it will be noticed, were taken more than six months before he signed and could have benefited from the Hunne indenture.

Both the Hadley leases led to law-suits,² the one in Chancery in 1519, and the other a Court of Requests Case in 1532.³ From the latter case we learn that Rastell had converted a tile house at Hadley into a "fair-hall", "well-devised", besides building a new house for a tenant. He made a parlour and chambers, with three or four bay windows well glazed and three goodly chimneys. The grounds which were overgrown with shrubs and briars he converted into a "fayr meadow". He "dicked and quike-set fourty poles of garden", and "cast five ponds for fische". Here, said Lowe, one of the witnesses, "he entertained Maistre Cromwell, Mr. Frowick and divers others at a shoting, rennyng and other games made by the said Rastell", who told this witness that the "fair house was his own device". It was indeed "a fair house to lodge in", added Lowe, "and Maister Cromwell, Mr. Geoffrey Chambre and many other lay in the same house." Nevertheless, Rastell lost his suit, and his "fair house", but the law-suit, of course, belongs to the close of his life. In 1514–15 we see him, then, establishing himself in a country house not far from Sir John More's Manor house of Gobions at North Mymmes, and this "fair hall" with its five fish ponds, forty poles of garden, its fair meadow, its goodly chimneys, its bay windows well glazed and its parlour and chambers, remained his for nearly twenty years, and when he lost it it was on condition that he received the

¹ E.C.P., 560/60.

² Court of Requests (1532) and *Orders and Decrees* Book 3. f. 212.

value of his "ameliorations". By December 1516 the three volumes of his *Grand Abridgment* were published, but the same date witnessed the publication of a work much better known to us, his brother-in-law's *Utopia*.

The adventures of Hythloday seem to have excited Rastell, for six months later he was off in the *Barbara* of Greenwich on no less a quest than a voyage of discovery to the New Found Lands. On 5th March next ensuing, the King's Letters of Recommendation¹ were granted to John Rastell, and two other London citizens who purposed to go on business of the King's and of their own "ad longinquas mundi partes".

Ravyn, the purser of Rastell's ship, the *Barbara*, was a well-known seaman, and so too was Richards, the master. They were typical master mariners of the early Tudor navy. Having got Rastell as far as Waterford with many delays, and having no intention whatever of going any farther west, they suggested to him that it would pay him better to give up his voyage and "fall to robbing upon the sea". Faced with mutiny, and separated from the rest of the fleet, Rastell landed at Waterford and appears to have tried to find new officers; whereupon Ravyn threatened to sail off and sell the cargo at Bordeaux, which he ultimately did. Rastell seems to have been altogether beaten by his mutinous mariners, for, having forced him to give them an acquittance of their undertaking, they left him in Ireland to find his own way home. There is reason to believe that he remained in Ireland for some considerable time, but on his return he successfully prosecuted Ravyn; and the whole story is told with a remarkable wealth of detail in the depositions of the witnesses called on Rastell's behalf.² Ravyn disputed the decision later in a Chancery suit.

Since there were two feats that the Utopians had to thank Hythloday and his companions for, "the scyence of imprinting and the craft of making paper," it is not surprising to find that Rastell took with him his servant

¹ Rymer XIII, 582, and French Rolls, 8.H.8.

² See Appendix XI.

" Thomas Bercula, printer ", on his voyage to the New Found Lands.

The account of Rastell's voyage in the Court of Requests case has a twofold interest ; it bears out the evidence of Bale that John Rastell was the author of the interlude *The Four Elements*, and it proves that an important voyage to the New Found Lands was organized in 1516-17 and failed. I have spoken only of Rastell's part in the undertaking, but the depositions show that there was a fleet, and that the mutiny was organized, probably with the approval of the Earl of Surrey, the Lord High Admiral. A passage in one of Sir Richard Eden's prefaces refers to this voyage as being organized under Sebastian Cabot and Sir Thomas Spert, through whose faint-heartedness, he says, it failed. This reference of Eden's which has been disputed, must now be allowed to stand.

We shall have occasion to deal with Rastell's interlude later, but in a long and spirited passage, highly imperialistic in tone, he displays his indignation :

But they that were the venturers
Have cause to curse their maryners
Fals of promys and dissemblers
That falsly them betrayed.

Rastell had probably sunk no small part of the Hunne fortune in this enterprise, and he appears to have been bound to find securities for advances made from the Royal Treasury ; for in the summer of the voyage John More and John Rastell had been bound in three obligations to pay 250 marks by 1521, and Rastell's friends, Geoffrey and Christopher Wren, for a like amount by 1520.

As a printer, Rastell is known to have put up his sign at three shops ; first, as we have already said, at the Abbot of Winchcombe's Place by the Fleet bridge in St. Bride's Parish ; next on the south side of St. Paul's ; and finally at Paul's Gate in Cheapside. It has been generally accepted, on the evidence of the Bridge House case discovered by

Mr. Plomer, that Rastell moved to Paul's Gate in 1520. If we calculate from the dates given by Rastell's own Bill, which is among the uncalendared Chancery Proceedings, we might make out a case for 1518, for speaking before 28th January, 1534-5, Rastell states that he had then paid rent for the Bridge House shop at Paul's Gate for over sixteen years. I have, however, been permitted to consult the "Bridge House Rentals" at the Guildhall, and find that Rastell paid rent at the annual rate of £5 6s. 8d. for his Mermaid premises at Paul's Gate from Michaelmas 1519 to 1536,¹ the last payment being made *post mortem*. But we have now to consider Rastell in a new light.

In the spring of 1520 there was entrusted to Sir Edward Belknap and Sir Nicholas Vaux the erection of the great Hall at Guisnes for the Field of the Cloth of Gold. Three thousand workmen, Arnold tells us, were occupied on the buildings for four months, and Rastell was called in specially for the making and garnishing of the roofs of the Banqueting Hall. In this part of the work he was associated with Richard Gibson, Sergeant of the Tents and Revels, Clement Urmston and John Brown, the King's painter. Twice in one week in the spring of that year Belknap and Vaux wrote to Wolsey urging him to send Rastell and the others across without delay "to make and garnish all the rofes, a marvellous great charge, for the rofes be large and stately". They ask also that Alexander Barclay, the "Black Monk" and poet,² be sent "to devise histories and convenient raisons to flourish the buildings and banquet house withal". In spite of Belknap's anxiety the work was finished, and in his rapturous description of the glories of the building, Hall, the Chronicler, fails to find words adequate to tell the splendours of the roofs, which, he says, "were covered with cloth of silke, of the most faire and quicke invention that before that time was seen . . . furnished so to mannes sight that no livyng creature might

¹ The importance of these dates for bibliographers is considerable. Books issued by Rastell from the south side of Paul's are earlier than 1519; those from Paul's Gate are later.

² The author of the *Eclogues* and translator of *The Ship of Fools*.

but joye in the beholding thereof". Brewer, in the *Letters and Papers of Henry VIII*, rather lost the point, I think, when he read "roses" for "rofes".

We now return to London to Paul's Gate. Here Rastell's shop by the archway into Paul's Churchyard faced the Church of St. Michael's in the Quern which stood in Cheapside where the Peel statue now stands. At the east end of St. Michael's was the "Littel Conduit in Cheap", and we learn from the Town Clerk's Records¹ that Rastell was authorized to erect a pageant here "at the lytel Conduit" in the summer of 1522 at a cost not exceeding £15. This was in honour of the visit of the Emperor Charles V, who passed through the City to St. Paul's with Henry VIII. I shall have more to say of this pageant later.

Financial problems were now probably giving Rastell some anxiety. He and John More were bound to repay to the Crown 250 marks by 1521 in respect of the voyage, and at Michaelmas 1522, there were also due to the Crown from Rastell by the terms of the Hunne indentures the payment of 810 marks. He failed to meet the latter obligation, and his enemies seized the opportunity thus offered to them.

Soon after he had entered into Hunne's estate, Rastell made an agreement with one of his sureties, Geoffrey Wren, a Royal Chaplain, to divide equally with him the "bargayn" and its responsibilities, and from that mortgage arose Rastell's troubles. For a certain Wm. Whaplode successfully importuned Wren to persuade Rastell to give Margaret Hunne in marriage to his son, Roger Whaplode, and bonds were entered into for the due payment of a certain sum as dowry² in quittance of all claims. Rastell asserts that the Whaplodes neither legally concluded nor carried out these bonds, and in 1523, going behind them, they succeeded in a petition to the King for the forfeiture of Rastell's original

¹ Repertories, 5/284.

² It had been Rastell's original intention to marry the Hunne girls to his own two sons, thereby keeping the dowries in the family.

securities and of all Hunne's papers and effects. This course was rendered possible by Rastell's failure to fulfil his obligation to the Crown of paying 810 marks due in 1522. Letters Patent were granted to the Whaplodes on the 4th May, 1523, restoring to them all Hunne's lands and tenements and all leases and deeds relating thereto; also the indenture between John Rastell and the King of 7th October, 1515, and all the goods, chattels, and debts specified therein; also the King's right and interest in the five separate obligatory deeds by which Rastell and others were bound in various sums.

I look upon this reverse to Rastell as a fact capable of an explanation. Hunne's case had excited great attention in the City. His heresy was forgotten in the admiration felt for one who had endured martyrdom rather than pay a *mortuary*.

The City was fighting the "Curates" and their tithes and offerings. But the year 1523 was the year of the great Subsidy, the success of which depended not a little on Wolsey's ability to win the sympathy of the City, and it may be that this concession to the Whaplodes was a politic act. It must also be remembered that Rastell's old patron, Belknap, had died suddenly in 1521, and that it was to Belknap that Rastell owed the Hunne grant.

The Whaplodes at once attacked Rastell and his sureties, at Common Law, and Rastell sought refuge in a Chancery suit. In 1526 the case went to arbitration before the Lord Chief Justice, Sir Anthony Fitzherbert, and Sir Lewis Pollard,¹ and the Whaplodes were awarded 400 marks. Rastell immediately paid down £100, but before the award could be duly drawn and sealed, one of the arbitrators, Sir Lewis Pollard, died, and the Whaplodes again attacked Rastell at Common Law; but they almost certainly had to accept the award mentioned, for I find from Foxe, to whom, of course, Hunne was a hero, that the Whaplodes were keeping alive the feeling of animosity in the City against Rastell

¹ E.C.P., 560/51.

by other means in 1529; for in that year Roger Whaplode had the following Bill read by a preacher at the Spital:

A Bill Read by the Preacher at the Spital.

"If there be any well disposed person willing to do any cost upon the reparation of the conduit in Fleet Street, let him or them resort unto the *Administrators of the goods and cattle of one Richard Hunne*, late merchant tailor of London which died intestate, or else to me, and they shall have toward the same six pounds thirteen shillings and four pence, and a better penny, of the goods of the said Richard Hunne; upon whose soul, and all christian souls Jesus have mercy!"

In other words Rastell was still in possession of the Hunne estate in 1529. "For the Bill", Foxe says, "Whaplode was brought and troubled before the Bishop", the preacher was suspended from saying Mass, and had to read a recantation at Paul's Cross acknowledging the offence of praying for the soul of one adjudged a heretic by the laws of Holy Church!

In the end Rastell was successful,¹ and if our reading of the evidence is right, Wolsey made some amends as Chancellor for the wrong he did Rastell in 1525. Instead of 800 marks to the Crown, Rastell paid 400 marks to the Whaplodes and apparently kept his use of the estate in spite of the Letters Patent granted to his opponents. "As a man is friended so the law is ended". John Rastell was probably as difficult a defendant to outpoint as one might expect to meet.

On Michaelmas Day, 1524, while the Hunne case was running its course, Rastell took from the Prioress of Holywell a forty years' lease² of an acre and three roods of ground having a frontage on Old Street, and lying in Finsbury Fields. Here he built himself a house and laid out grounds, and it was here that he built the stage to which reference is made in the Court of Requests case³ published by Mr. Plomer and reprinted by Mr. A. W. Pollard in *An English*

¹ A later appeal to Cromwell by the Whaplodes shows this.

² R.O. Conventual Leases (Middlesex), No. 30, and Appendix V.

³ R.O., Court of Requests, 8/14.

Garner : Fifteenth Century Prose and Verse. As this is the earliest stage known to the historian of the Tudor drama, its position in the district that Burbage and Alleyn made famous in Elizabeth's reign is not without interest. Rastell's Finsbury property is now, I believe, covered by the head offices of Bovril, Limited.

Whilst he was occupied with his new property at Finsbury, Rastell published two small books whose nature suggests that his litigious troubles were not seriously worrying him. The first was *The XII Merry Jestes of the Wydow Edyth*, an entertaining work in Chaucerian verse by Walter Smyth, personal servant of Sir Thomas More, and later Sword Bearer to the Lord Mayor. The other was the first of the Tudor jest books, the famous *Hundred Merry Tales*, a compilation in which Rastell himself had a hand. To the period 1526-9 we must assign the plays printed by Rastell, *Gentleness and Nobility*, of which he himself was the author, and *Calisto and Meliboea* which shows almost unmistakable marks of his workmanship.¹

There is interest for bibliographers in a record of Rastell's relations with a young printer, Laurence Andrewe, at this time. It occurs in a Chancery suit² heard by Wolsey, probably in 1527-8, and shows that Andrewe had borrowed £5 and £20 worth of printing material from Rastell. Andrewe fled abroad leaving Rastell to prosecute his aunt, Mistress Andrewe, the Prioress of Stamford, who seems to have acted as a sponsor for the borrower.

In the summer of 1527, Ambassadors came from France to arrange a marriage with Princess Mary, the daughter of Henry and Catherine, and were most splendidly entertained at Greenwich. Hans Holbein prepared a wonderful representation of the "Taking of Terouenne" and Rastell devised a pageant called the "Father of Heaven". Hall's description, supplemented by that of the Venetian, Spinelli, gives a detailed account of the pageant and its setting, but

¹ See Chapter III.

² Chancery Proceedings, 564/27. See appendix.

we have also valuable evidence in the accounts of Rastell's expenses kept by Sir Henry Guildford, the Treasurer.¹

It appears from these accounts that Walton, the builder of Rastell's Finsbury stage, was employed by Rastell as a stage carpenter in the preparations for 26 days at 8d. a day. "Maister Mann", the King's painter, received 12d. for making the pictures and 9d. a day for 27 days, and ten workmen were engaged for about 3 weeks at 6d. a day. The most interesting personal item, however, is that Rastell's son, William, now 19 years old, was employed on the preparations by his father for 44 days at 8d. a day.

There were two halls built for the festivities, one for the banquet, the other, with seats arranged in tiers along either side, for the pageantry. After the feast, the guests were marshalled to see the Holbein picture which was shown on the other side of the great arch through which they passed to take their places in the second hall. "The rofe of thys chambre was cunninggly made", says Hall, "by the King's Astronomer", but Guildford's accounts show it to be Rastell's work. "On the ground of the rofe was made the hole earth environed with the sea, like a very Mappe or Carte, and by a conning makynge of a nother cloth, the zodiacke with the XII signes, and the five circles or girdelles and the two poles apered on the earth, and water compassing the same, and in the zodiak were the twelve signes, curiously made, and above this were made the seven planets as Mars, Jupiter, Sol, Mercurius, Venus, Saturne and Luna, every one in their proper houses, made according to their properties, that it was a cunningg thing and a pleasant syght to beholde."

Two-thirds down the hall, under an arch all gilt, the King took his seat, and at his feet the two queens. There then entered on either side singers who sang English songs, and in the centre a handsome young man advanced clad in sky blue silk spangled with eyes, representing Mercury. After delivering to the King a greeting from Jupiter, the

¹ R.O., Misc. Bks., Excheq. T.R., 227, p.

"Father of Heaven", Mercury announced that, having often heard disputed the question of the relative merits of *Love and Riches*, Jove now refers the decision to the King, whereupon, Mercury retiring, there follows an Interlude in the form of a *débat* between a chorister Cupid and his *decani* supporters, and Plutus with his *cantoris* followers. This debate is fully described by Hall and Spinelli.

For the writing¹ of the Dialogue, that is, of course, the Interlude of *Love and Riches*, and for Mercury's Latin address to the King, Rastell charged the modest fee of 3s. 4d. In all, his account came to £26 11s. 3d. There is no item showing his own fee, which would no doubt appear in the King's Book of Payments; but that, unfortunately, is missing for this period.

It will be convenient at this point to say something further of Rastell's pageants. It will be remembered that he devised a pageant at the Lyttil Conduitt by Paul's Gate in 1522, when Charles V and the King went to St. Paul's. Here, according to Hall, "there was builded a place like heaven, curiously painted with clouds, orbes, starres and hierarchies of angels. In the top of the pageant was a great type, and out of the type sodainly issued out of a cloud a fayre lady richely apparellled, and then all the minstrels which were in the pageant played and the angel sang, and sodainly again she was assumed into the cloud, which was very curiously done, and aboute this pageant stode the apostles" whereof one said Latin verses which Hall then gives.²

Here, as at Greenwich, the astronomical character of the device is emphasized, the heaven, clouds, orbs and stars; whilst the hierarchies of angels suggest that Rastell may have devised the pageant of the "Nine Hierarchies of Angels" at Coventry in 1510, when the King and Queen visited the City. When we remember that it was upon the roofs that he worked for the Field of the Cloth of Gold, we may perhaps assume that they, too, were astronomical in character. Rastell's well-known printer's device, showing

¹ I.e., the scribe's work.

² Another account is given later.

the Father of Heaven, the Merman and Mermaid, the heavenly bodies, and under all the Four Elements, preserves, not unfitly, the note of cosmography and of pageantry that Rastell had made his own. Finally, as bearing on Rastell's interest in astronomy, I would point out that his contemporary, Bale, after referring to his pre-eminence in mathematics, "demonstrable science", and cosmography, mentions a work that is either unidentified or lost, his *Canones Astrologici*.

The fact that his son William was working with his father at Greenwich in 1527 warrants us, I think, in assuming that he took part also in the increased activity of Rastell's press between 1526 and 1530, when, setting up his own press, at the age of twenty-one, he issued his first book.

During these years, assisted by his son, Rastell printed several law books, including an *Abbreviation of the Statutes*, with an interesting preface; he published More's *Dialogue of Images*, his own *Book of Purgatory*, and his remarkable chronicle with the punning title, *The Pastyme of People*. Rastell's printing therefore appears to fall into two well-marked periods, the Fitzherbert period from about 1512 to 1518 and the later period from 1526 to 1530, when he had his son William with him. To this later period should be assigned the undated plays, *Gentleness and Nobility* and *Callisto*. It is interesting to note that William Rastell afterwards printed an edition of Fabyan's *Chronicle*, the source of the greater part of *The Pastyme of People*.

Meanwhile, at this period, Rastell was unusually busy at Westminster Hall, and particularly so during the time of More's Chancellorship from 1529 to 1532. A reform in Chancery proceedings, attributed to More, but actually due to Wolsey, enables us to estimate Rastell's activity as a Chancery lawyer. To reduce the number of frivolous Bills of Complaint, Wolsey had all Chancery Bills examined and signed by lawyers of standing. During Wolsey's Chancellorship Rastell's signature appears on his own Bills, but I have not come across it on others. Under More



PRINTER'S DEVICES USED BY JOHN RASTELL.
FROM THE BRITISH MUSEUM COPY OF RASTELL'S 'FIBER ASSINARUM' (1514)

his signature is frequent. We may note, however, that whilst he was well known as a plaintiff before the Chancellors Warham, Wolsey, and Audeley, he never appeared as plaintiff before More.

In 1530 Sir John More died, and his death led, I think, to some weakening of the family tie between Rastell and the Mores. This weakening of the family tie gradually became an actual breach, and when More was put to death in 1535, Rastell was very definitely in the camp of his opponents.

We have reached the last chapter of his life, a chapter to be understood only if we recognize as the central fact that he now attached himself whole-heartedly, and with tragic consequences, to the service of Thomas Cromwell.

In 1529 he became a member for a Cornish borough in the Reformation Parliament that served so effectively the purposes of Cromwell and the King; and in 1529-30, he spent six months in France, engaged, it may be, in seeking academic support for the divorce. In the new *Book of Purgatory*, published in 1530, he provoked to controversy More's opponent, the young Protestant, John Frith, and supported the old doctrine with all his old ardour, by "natural reason and good philosophy". Bale says that Frith's reply converted the older man to the reformed faith, and the fact that Frith was capable of conducting a debate in excellent good humour, while his life was in jeopardy, makes the statement plausible. An instance of Frith's sense of fun may be of interest.

Rastell was apparently given to writing nonsense verses taking here and there incongruous lines from different ballads. There is a good example in his play of the *Four Elements* :

Robyn hode in barnysdale stode
And lent hym tyl a mapyll thystyll
Thar cam our lady and swete Saynt Andrewe
Slepyst thou wakyst thou geffrey coke, etc.

He tried the following lines on Frith :

In the beginning of this year
John Frith is a noble clerk
He killed a millstone with his spear
Keep well your geese, the dogs do bark.

But Frith rejoined, " as touching the metre, the second verse lacketh a foot and is shorter than his fellows ", and he made the following emendation :

In the beginning of this year
John Rastell is a noble clerk, etc.

If all who were writing English verse in 1530 had shown Frith's regard for iambics, Tottell's *Miscellany* would have had less significance in the history of English prosody.

III

We must now picture Rastell to ourselves as the energetic, ingenious and devoted agent of Cromwell, engaged in the service of the Commonweal. The facts that I now have to put before the reader will show what use Cromwell made of him, and what, if anything, he did for his servant.

In Cromwell's *Remembrances* for 1532, among the Bills awaiting Royal signature is one for Rastell to be made Governor and Master of Christ Church, or the Priory of Holy Trinity, Aldgate. The plan seems to have been to secularize the establishment and make Rastell its first head. The scheme fell through and the property went to More's successor, Audeley.¹ Another draft Bill appears for the appointment of Rastell and another lawyer to a new office for the drawing up and sealing of legal instruments in the City, whereby the issue of fraudulent deeds might be checked. Possibly something came of this, as Rastell and his colleague were said to owe in 1534 £20 in " obli-

¹ Audeley was somewhat of an invalid and so, says Fuller, " he was allowed to carve for himself the first cut " from the monastic spoils. The priory was only surrendered because it was so deep in debt.

gacions". In 1534 a letter from a John Arundel to Rastell "dwelling in Paternoster Row" casts a reflection upon Rastell's relations with Cromwell. Arundel promises £20 to Cromwell, and he hints at an equivalent reward for Rastell for Cromwell's good offices with the Bishop of Exeter in the matter of a lease, a Naboth's vineyard. This was the Arundel who, says Hall, "took Duncan Camall, a rover of Scotland, after a long fight". The fact that this letter is among the Public Records shows that it reached Cromwell. Meanwhile, in 1533, the Surveyor of Crown Lands had granted a lease to Cromwell, Rastell and others, of all mining rights on Dartmoor.

In 1534 Rastell lost, as we have already seen, his law-suit against the Skipwiths and with it his fair house at Hadley, where he had lived for nineteen years. In the same year he was engaged with Roland Lee, Bishop of Coventry and Lichfield, on his mission for the checking of lawlessness in Wales. He carried reports to Cromwell from Lee, who in one letter asks for Cromwell's offices in Rastell's behalf. He describes him as "the pore man", a "very gentleman", one who "does not interrupt in his own behalf". Clearly Rastell's services to the Commonweal were not enriching him, and this reflection is confirmed by the fact that in July 1534 he had completed the alienation of his family lands and properties in Warwickshire, and thus made final the severance of the Rastells and Coventry.

In the summer of 1533 he had taken as his sub-tenant at Paul's Gate a stationer, John Gough, who in 1528 had been imprisoned on suspicion of aiding in the sale of heretical books, and we learn from the Town Depositions^{*} in the suit *Rastell v. Sutton, Draper and the Bridge House Masters*, summarized by Mr. Plomer, that "the servants of Rastell had printed dyvers books in the seyd prynting house syth the seid Gough hath been in the seid house."

Rastell had at this time a considerable printing scheme before him, which he describes in a series of three letters

^{*} Chancery Proceedings, Town Depositions, Bundle 1.

to Cromwell, and in an important unsigned paper of notes in his own handwriting. These were written after Cromwell had been appointed Secretary, 17th April, 1534. He had drawn up, at great pains, a book which he called the *Book of the Charge*. This he sent to Cromwell, who submitted it to competent authorities and returned it to Rastell for revision. The *Book of the Charge*, printed and issued as from the King, was to be sent to all Judges and Stewards of Courts and Sessions, and by them publicly read "whereby not only the lernyd men themselves but also the people shall be instructed in true learning and brought from ignorance to knowledge of the tŕue faith and to have no confidence in the pope nor his laws". He tells Cromwell how much pains he has taken in "this and like matters", for which he has had "nought but gŕeat loss and hinderaunce and hatred and disdain"; "and if some which ye call priests and spiritual men knew it came of me, they for disdain would do what they could to hinder it". He suggests that 10,000 to 20,000 of the *Book of the Charge* should be printed and "sparklyd abroad" among the people, at a cost of less than £100. For four or five years he has been compiling divers books opposing the pope's authority and he has ruined his business. Where he used to make £40 a year at Westminster Hall now he makes less than £10. From 200 or 300 reams of paper a year, his printing has fallen to 50 reams. His printing used to bring him in more than his pleading. Other men in Cromwell's service make more of themselves, but none have served him more loyally than he. "Syr," he says, "I am an old man, I loke not to lyf long, and I regard ryches as much as I do chyppes save only to have a lyffying to lyff out of det. And I care as mych for worldly hono^r as I care for the flying of a fether in the wind."

He adds the interesting information that he has "devised certain prayers to be put in primers of divers sorts", some of which are printed already in a "lytyl primer which I did send unto the Court". He asks for the privilege of

printing this primer on an extensive scale. Possibly the primer known as Gough's *Primer*¹ of 1536 may be the one Rastell alludes to.

Later he suggests to Cromwell that seven Masters in Chancery should be appointed to aid the Lord Chancellor in dealing with cases of heresy and, further, that learned men be appointed to draw sermons in English which should be printed and sent to every curate with a command to preach or read them on Sundays.² He follows up these suggestions with "notes of works to be printed before Parliament meets".

(1) A little book proving that priests may marry and work for their living. (2) A little book proving that men may not honour images nor offer unto them. (3) Another proving that the prayers of men that be here living for the souls of them that be dead can in no wise be profitable to them that be dead.

After that there follow "Bylles to be drawn against the next Parliament".

(1) For priests marrying. (2) Against offering to images. (3) For the Reformation of the Common Law. (4) For the Reformation of the Court of Chancery. (5) Against excessive fees taken by law clerks.

In the summer of 1535 John Whalley, Cromwell's agent at the Charterhouse, wrote to his master reporting that Rastell had made a search among the books there and "removed the Statutes of Bruno and such like books". He wrote again about the same time reporting that Rastell had been coming daily to the Charterhouse in Cromwell's name "to common with the monks and reconcile them if he may". "Syr," says Whalley, "altho Mr. Rastell be a very properly learned and an honest man, and of good experience, yet I think he is not the man that shall prevail

¹ A copy bearing the royal arms is in the University Library, Cambridge: *Imprynted by Johan Gough dwellinge in London in Chepsyd next Paulys gate, 1536.*

² See reference to Clement Urmeston's *Book of Sermons*, on p. 26.

amongst them, for they laugh and jest at all things that he speaketh."

Rastell's suspicion of the attitude of "some whom ye call priestes and spiritual men" was well founded, for soon after this he was imprisoned for his opposition to the Royal Proclamation of 1535, which settled the old City dispute of tithes and offerings that Hunne had taken his part in twenty years earlier.

The facts are sufficiently clear, for it appears from a Theological Tract at the Record Office (ix. 19) that Rastell, examined by the Archbishop and his Court, denied that curates might claim their living by tithes and oblations, and he based his contention in characteristic fashion on the laws of nature, of man and of God, that he had expounded in the Preface to the *Book of the Assizes* in 1514. After the Bishop of Winchester had argued with him, Rastell "sung again his old song", which wearied Cranmer, who said that if he had anything new to say he should be heard.

Other evidences show that he was treated as belonging to a set of over-zealous reformers among whom were Bale and Marshall, whose name has been preserved in Marshall's *Primer*.

But even Rastell's old friend Clement Urmston, who had worked with him at the Field of the Cloth of Gold and at the Greenwich festivities of 1527, passed his last years in the same strange ferment of opposition. There exists, in Urmston's handwriting at the Record Office, a long and violent tract on the tithes question as well as a MS. book of sermons of 363 pages.

On the 20th April, 1536, Rastell made his will, appointing the King and Ralph Cressey his executors. His executor reported his death on 25th June, 1536. He appears to have died in confinement, for his last letter is addressed from prison to Cromwell, as Lord Keeper of the King's Privy Seal, an office for which Cromwell's Patent is dated 8th July, 1536.

In this letter he speaks of himself as "now by long imprisonment brought to extreme misery, forsaken of his kinsmen, destitute of his friends, comfortless and succourless", "the scorn of men and the outcast of the people". "If I durst be bold to say it," he continues, "methinks I have great wrong this long season to have been kept in durance without coming to my answer."

To serve the Commonweal had been the goal of his ambition. It was the theme of his first *Preface* and his motive in printing the *Grand Abridgment*. For this he planned his voyage, and now at length under Cromwell time seemed to have brought him the great occasion. But there was a virtue that it was too late in life for Rastell to acquire. He had never been either cautious or discreet, and caution at least was necessary in the service of Henry VIII.

He is not one of the great figures of his time, yet there are few that illustrate more completely the eager restlessness, the varied interests and tragic ironies of the sixteenth century.

In 1536, the year of his father's death, John Rastell the younger, now a Gentleman of one of the Inns of Court, sailed with Master Hore and other Gentlemen, and they reached Labrador. Here they were so beset with hunger that they were reduced to watching an osprey's nest for the fish she brought her young. They ate raw herbs and roots. A seaman killed his mate while he stooped to take up a root, cut out pieces of his flesh and broiled them on the coals and greedily devoured him. Others joined him, and the company decreased in this way until the officers discovered the ghastly truth, and the captain made a notable oration "vouching the Scriptures from first to last what God had done in cases of distress for them that called upon Him".

And such was the mercy of God, that the same night there arrived a French ship in that port well furnished with victuals, and such was the policie of the English that they became masters of the same, and changing ships and vittailing them, they set sail to come to England.

The French got back too, and complained to Henry VIII, who being moved by pity paid them from his own purse. I have closed my chapter with this story from Hakluyt, because it seems to me to speak for itself and make further comment on the old adventurer unnecessary.

CHAPTER II

THE HEYWOODS

I

IN dealing with Rastell we have been breaking new ground. His son-in-law, John Heywood, on the other hand, has attracted the notice of many generations of students, and has secured a place in our literary history. We have all heard of the sallies and rejoinders of "merry John Heywood", of "the mad merry wit" who "made many mad plays". These were the theme of Peacham, of Fuller, and the learned Camden; Ben Jonson talked of them to Drummond. There is no doubt that Heywood was a man of mark in the social life of his time, famous for his singing, as a player on the virginals, as a wit, epigrammatist, dramatist, and even, according to Bale, as a dancer. His social standing was that of *generosus*, or gentleman. The engraving in the *Spider and the Flie* shows him to have been a tall, striking figure and represents him in an academic gown, with a short sword or dagger—a man with an eye to appearances. He was lord of the manor of Brokehall, in Essex, and owner of lands in Hertfordshire and Kent, not by royal gift, but purchase. He was measurer of linen cloths in the City of London and a member of the Mercer's Company. He had intimate friends in the Inns of Court, and from the age of twenty-two he was attached to the royal household. The object of the present chapter is to show him not only as an independent figure, but also as a member of the family circle with which we are dealing.

It is probable that his father was a man of legal training, a William Heywood, who was acting temporarily as coroner of Coventry in 1505-6, when his name occurs in the Corpus

Christi Gild book as "de Couentry corinr". Thomas Rastell was succeeded as coroner in 1506 by his son John, and my reading of this evidence is that, associated with the Rastells at Coventry in a legal office, we have a William Heywood, whose son John, the subject of this study, married Joan Rastell. It would seem that on Thomas Rastell's death, William Heywood filled his office until John Rastell was duly elected in his father's stead. As late as 1527 there was a Heywood practising as an attorney at Westminster Hall (Dogget Rolls, Index 5). An earlier association of the names Heywood and Rastell occurs in the Coventry records, when an Edward Heywood was admitted along with John Rastell as a member of the Gild, and there are other evidences in the Gild Book of a connection of the Heywoods with Coventry; but we may leave the question of the Heywood parentage and pass on to deal with the Heywood brothers.

John Heywood had three brothers: William, a prosperous yeoman of the village of Stock, in Essex; Richard, who bore arms and was a partner of William Roper, as Prothonotary of the King's Bench; and "Sir Thomas the Parson", a monk of St. Osyth's in Essex, who was executed for saying Mass in 1574.

William of Stock Harvard, in the Hundred of Chelmsford, was the eldest brother.² Stock is five miles south-west of Chelmsford. It is a picturesque and prosperous village on the high ground south of the old Roman road to Colchester and midway between Ingatestone and Billericay.

From the Parish Registers I find that William died in 1568. His name appears on a Subsidy Roll of Stock in 1542-3 and again in 1544, when his lands were assessed at £10. In Bonner's Visitation of 1554 he is mentioned after the churchwardens as a juror, but in the Protestant Grindal's Visitation of 1561 he is not named. His will is among the

² This is made clear in Richard Heywood's will from the place assigned to his brother William's male heirs in the entailing of the Manor of Woolwich.

Commissary of London Wills (Essex and Herts), and there he describes himself as "yoman". His property was copyhold and consisted of three crofts called Warrens, of 6 acres, a house called Slowhouse with 14 acres, and another holding of 16 acres. He left his kine to his wife "to give or sell dischargynge the hereatts", the ancient tribute due to the Lord of the Manor on the death of a tenant. The local character of the will is important. The copyhold lands are in the parishes of Stock and Butsbury, and the names of overseers and witnesses are local, several of them occurring in a Court Roll (R.O., 172/24) as of the homage of the Manor of "Inge Gynge Joyberd Laundry, Hertford Stock in the parish of Buttysbury".¹ This extraordinary manorial description is important because it explains a line in John Heywood's play of *Wether* otherwise unintelligible.

Readers of *Wether* will remember that Merry Report, the Vice of the play, a kind of Puck, had been sent by Jupiter to summon any mortals who had suggestions to offer for a general reform of the weather. He tells on his return where he has been, and closes his list of places with the strange line :

Ynge gyngiang Jayberd Paryshe of Butsbury.

As the play was printed in 1533, one may assume that William Heywood was already at Stock then, and that the fact was known to some of his brother's audience.²

¹ His "Cosyn Lyndsell" was appointed overseer of the will. Richard Lyndsell, father of William Heywood's overseer, was Butler of Lincoln's Inn and an associate of Sir John More.

² A. William Heywood, Yeoman of the Crown, who was present at the funeral of Henry VII (R.O., L.C. 2, f. f. 124), was pensioned at 6d. a day in 1516, and was still being paid in 1525 (L. & P.). He appears to have been associated with Devon and Cornwall particularly (L. & P., i. 550), and was probably not a member of the family.

There was a younger William Heywood, a Yeoman Usher who was pensioned at £6 a year at the time of the Eltham Reforms of the Household in 1525, and in a Subsidy Roll of the assessment of the Royal Household in 1542-3 was charged 11s. on his pension of £6 (Subsidy Roll 69/37, R.O.). Possibly this was the yeoman of Stock.

Wm. Rastell left in 1565 to John Heywood's daughter, Elizabeth Marvin,

It is interesting that there are Heywoods still in Stock, and probably there has been a continuous association with the district. For instance, William, the most prosperous of the yeoman's sons, died in 1607 at Crondon in Orsett Hamlet, less than a mile from Stock, and in 1850 there died at Orsett Hamlet, William Arthur Heywood, in whose memory there is a window in the church of Stock.

The dramatist's second brother, Richard, born in 1509, was twelve years his junior. His will was proved in 1570 (P.C.C., 18, Lyon). In it he makes bequests to "my brother Sir Thomas Heywood, the parson", "to my brother John Heywood", "to my cosyne Donne and his wife", "to my cosyne Marwyne theire sister", and "to my sister Heywood, late wife of William Heywood of Stoke in the countie of Essex".

Richard Heywood was a wealthy man, and his friends were men of high standing in the legal world. He left a black gown and a ring to the Master of the Rolls, and his executors were Justice Southcote and Sergeant Manwood. Shortly before his death he bought for £1,200 three manors in Sussex. In 1555 he bought the manor of Woolwich, and he owned other properties in Kent. In Lincolnshire he owned Crown lands, including three manors and other properties. He had property in Middlesex and he owned a house in Salisbury

a ring inscribed W. H. (i. 3). I suggest that this W. H. was the lawyer, her grandfather. But the initials W. H. seem destined to raise literary problems.

It is worthy of note that William Cawthorne Unwin, Mary Unwin's son and Cowper's friend, was Rector of the parish of Stock from 1769 to his death in 1787. An amusing poem by Cowper, under the title of "The Yearly Distress, or Tithing Time at Stock in Essex," commemorates "The troubles of the worthy priest":

For then the farmers come, jog, jog,
Along the miry road,
Each heart as heavy as a log
To make their payments good.

One talks of mildew and of frost
And one of storms of hail,
And one of pigs that he has lost
By maggots at the tail."

Court as well as the house in St. Bride's parish in which he dwelt.

He had entered Lincoln's Inn in 1534, and two years later was allowed to have a clerk to board "at the clerkes commons commonly called the verlettes commons". In 1567 he and his colleague, Wm. Roper, were granted the two east chambers in the middle rooms in the "new buildings", which still stand near the old gateway in Chancery Lane.^{*} From this it appears that Roper and Heywood had their offices, as Prothonotaries of the King's Bench, in Lincoln's Inn. When Sir Roger Cholmeley founded Highgate School in 1562 he chose Richard Heywood as one of the six original governors (R.O., Pat. Rolls, 7 Eliz., Pt. 2), and he is described on the enrolment as Richard Heywood, of London, Armiger. His arms are given in Glover's Ordinary (Cott. Lib., D. 10, f. 410). His funeral was marshalled by the College of Arms and a crest of a "tiger's head transfix'd by a shaft" was granted *de novo* for the obsequies.

The contrast between his circumstances and manner of life and those of his yeoman brother needs no emphasis. But though his will has no homely reference like his brother's to "the white mare" or "grey gelding", he was interested in agriculture. He had a 100-acre pasture at Titney in Lincolnshire that suggests an enclosure and a sheep-run after the new manner. Indeed, we have proof that he had speculated in sheep. A Special Commission (R.O., No. 1353) was appointed to report as to payment of rent for common of pasture for 516 sheep in Lincolnshire by Richard Heywood, deceased. Whatever the contrast between their fortunes, it is clear from his will that Richard Heywood was in close touch with his brothers and relatives. He remembers the widows, his sister-in-law of Stock, and his niece, Elizabeth Marvin, John Heywood's daughter, who lived with the Donnes. There can be no doubt that his house would admit John Heywood to considerable intimacy

with legal men, and we may assume that the technicalities of law and the society of lawyers were amongst the things with which John Heywood's relationship to the Mores, Ropers and Rastells had made him quite familiar, and in which he was probably interested. In any case we have here an explanation of the fact that the first twenty-eight chapters of Heywood's allegory, *The Spider and the Flie*, consist for the most part of a close legal disputation, in the course of which the Flie claims to be heard in Westminster Hall rather than in the Spider's Lordship,² for, says the Flie:

In Westminster Hall I am not forsaken
 But may be a termer all tymes and howrs
 And that in aparence passeth your powrs
 For as common report maie be a prooffe
 There never comth copweb in that hall rooffe.
 (Cap. 14.)

The third of John Heywood's brothers, Sir Thomas the Parson, was a monk of Chick or St. Osyth's, a monastery of Austin Canons, situated on a creek of the Colne opposite Brightlingsea, "a house keypyng grat hospitalyte for the relief of dyvers smal townes about it; and the steeple also ys a comon marke for maryners upon the seas" (Dr. Cox, *Essex*, p. 250). The remains of an Austin Priory of Thoby still exists near Stock.

In the "Acknowledgments of Supremacy", 1534, John Whederyke, *alias* Colchester, signed as abbot, and Thomas Heywood's name was seventeenth on a list of twenty-one. At the dissolution (1539) the abbot and monks were pensioned, Thomas Heywood's pension being £6 13s. 4d.

The valuation of St. Osyth's and the inventory of possessions are unusually full (L. & P., XIV, i, No. 1326), and attached to the bundle (R.O., Church Goods 10/26) is an autograph letter from Abbot Whederyke to John Heywood written on 9th May, 1540. The letter is an acknowledgment of the due receipt of rent from John Heywood for the Manor

of Brookhall, of which he held a lease from the monastery, for £8 a year, and it is endorsed :

To my lovyng herty frende John Heywode, gentylman delyver thys speedely.

Cromwell seized into his own hands the abbey lands, but on his death in the following year the lease was restored under a grant dated 3rd December, 1540 :

"Dilecto servienti nostro John Heywood" of our manor of Brookhall recently in the possession of Thomas Cromwell lately attainted of high treason . . . for 21 years at a rent of £14 r. 6. and 12d increment.¹

In the description of Richard Heywood's Arms in the Moseley Collection (Add. MS. 35333) there occurs the note, "ye 14th of June 1574 a fryar who was akin^{*} was executed", and Holinshed says that Thomas Heywood was arrested on Palm Sunday, 1574, for saying Mass in Lady Brown's house in Cow Lane, and was "convicted and had the law according to statute in that case provided" (Ed. 1808, IV, 324).

In Thomas's case, as in William's, an association with Essex is suggested. Moreover, the Manor of Brookhall is only a mile from Tiptree and not far from Witham, places which are both named in the play of *Wether* in the list that ends with "Ynge . . . Butsbery".

We now come to the fourth of the brothers, John Heywood, the dramatist.

A letter to Lord Burleigh, dated 18th April, 1575, three years before his death, fixes 1497 as the year of Heywood's birth, and it deserves to be printed in full :

Right Honorable, and my, verie good Lord: I understand of late what a good earnest sewtor, it hath pleased my good honorable Ladie, your good wiffe, to be for me, nowe in my poore old age, when my frendes are in a manner all dead, and manie of them utterlie forsaken me and my wholle lyvyng

* It is important to notice that this was not an expression of royal favour, except in so far as an act of justice may be so considered. Heywood only recovered his lease at an enhanced rent.

detayned from me, and the chieffest parte of it, whiche was a lease for yeares, in Romney Marshe, begged, and bought away utterlie from me; And neither of that, nor of the rest, not one penny of it, paid, or sent hither unto me, for my maintennance for these twoo yeares, and a half: And (nowe)^{*} it pleaseth your good Lordshippe as I heare, to comaund my sonne Doonne, to send me over the arrerages, whiche hath bein deteyned from me, I besече god reward, and blesse the quenes hignes and your good honor for it, as also my good ladie, who hath ever bene my good Ladie, and nowe my speciall good Ladie, / *And thoughe Beggars maye not be chusers, yet they may be cravers*, I will moost humblie therefore crave of the quenes Magestie, and desyr moost humblie your honour and my good Ladie, to be sewtors for me, to her magestie, that I may enjoye the rest of my poore lyvyng, here quietlie, by her highnes lycence and pattent to me and my assignes, duryng my liffe, which can not be, by all lykelihoode above twoo or thre yeares, being nowe lxxviij years of age. / And I will god willing your honor shall never heare anie otherwise of me than becometh a poore honest quyett old man, but will spend my tyme, that I have to lyve, in prayer, and in loking to my last ende, whiche cannot be longe, seing my hearing begynneth to fayle me, and my myrth decayeth with age, and my bodie is weake. And I beseech your good honor, and my good Ladie, to appoynte some one of the officers of the eschequer, or whom it pleaseth your honor, that maye help my dowghter Marvin that I may have my Arrerages that is dewe, since I was procleymed, quietlie and spedelie paid, and sent unto me. And also some order to enjoye the rest of my poore lyvyng, except my lease, that is begged and bought away whollie frome me, whiche I dare not crave, whiche was the verie chefe of my lyvyng: and nowe I have no maner of benefitt of it, whiche I thinke the quene's magestie never ment, when it was bowght frome me by Justice Manhoode (Manwood?) and sold by him to my sonne Doonn, who never sent me one peny yet either of that lease or (of anie²) of my lyving since the tyme he bought my lease, for he sayth he durst not. / Yf your good honor obteyne not the pattent to my self and to my assignes, that so I may boldlie take some order, for the payment of such lyvyng and arrerages, unto me, as it shall please the quenes magestie, by your honores and my good ladies sewte, to assigne unto me for my maintennance here duryng my short liffe, I am greatlie affraid, it

* Correction in Heywood's hand.

² Heywood's hand.

will not come spedelie, and whollie to my handes to helpe me, but when I am dead, *whiche is a day (at the least) after the faire.*

Thus I besoch god, to preserve the quenes highnes, your good honor and my good ladie, who helpeth me nowe at this great pynche, with my humble dewtie, with daylie prayers and moost humble thanks unto your honor, for the same. And god willing I wilbe both your honors poor beadesman. / From Mechlyne where I have bein sore sacked and spoyled of a good parte of that littill that I had, both by spanyards and Germainys soldiars, *which hath made my purse bare.* And therefore good my Lord, *help to comfort it agayne.* / This xvijth of Aprell i. 5. 7. 5. /

your honors most hombyll orator
as he ys greatly bownden

JOHN HEYWOOD.

(R.O.S.P. Dom. Eliz.)

The reference to his "mirth" as decaying with age is pathetic, as indeed also are the proverbs, which I have italicized, but they show something of the indomitable, —or shall we say incorrigible?—spirit of the "Merryman".²

"My good ladie" is Mildred, one of the three scholarly daughters of Sir Anthony Cooke, and wife of Lord Treasurer Burleigh. Ascham held her to be the foremost Greek scholar among the women of her day, saving always his favourite, Lady Jane Grey. Sir Anthony, tutor to Edward VI, was of Gidea Hall, Romford, and Romford, the "capital" of the ancient Royal Liberty of Havering atte Bower,³ was half-way from London to Ingatestone, where Wm. Heywood would leave the old Roman road to reach his home at "Ynge Gyngiang Jayberd, parish of Butsbery", which lay three miles off to the south.

If John Heywood was already seventy-eight in April 1575, in April 1509, when Henry VIII came to the throne, he was twelve years old, an age at which a chorister's voice is beginning to be quite well developed. It has been thought that Heywood was a chorister of the Chapel Royal. Sir A. W.

* In Heywood's hand. * See *Heywood's Proverbs*, pp. 20, 29 (ed. Farmer).

³ John Clement had a country house near Havering (see *Library*, March 1926).

Ward appeared to think it probable (*D.N.B.*), and Dr. C. W. Wallace postulates it (*Evolution of the Drama*). The Lord Chamberlain's Accounts (R.O.L.C. II, i, Funeral of Henry VII) give on f. 131 the names of the "Children of the Chapel", allowing four yards of cloth to each. John Heywood's name does not occur. It is a little unfortunate that eleven names only are given instead of twelve, but I think we may assume that the missing name represents a vacancy; a sick boy would be rather hardly used, in his own eyes at least, if he missed both the procession and his livery.

Wm. Cornyshe appears in the same account as a Gentleman of the Chapel.

Dr. Wallace does not offer any evidence for his statement (p. 20) that Heywood "had grown up in the Chapel under Cornyshe, and must have sung and acted in numerous pageants and plays of the master." . . . "So it came to pass that when Cornyshe . . . was succeeded by Crane . . . Heywood took up the dramatic side of his master's duties."

Collier's statement that the first Court payment to Heywood is one occurring in the King's Book of Payments dated 6th January, 1515, I question, though it has been generally accepted. The reference as given by Collier and Dr. Wallace is not quite correct, as both manuscripts give the date 21st January, Anno VI¹ (Add. MS. 21481, f. 178, and R.O., Misc. Bks., Excheq., T.R., 235, p. 357, l.c. 21 Jan., 1514-15). The reference is not, I think, to John Heywood the dramatist at all, but to a Yeoman Usher of the same name under the command of Sir Henry Marney, Captain of the Guard.²

Hitherto the theory has held that Heywood was a Royal Chorister, that he was still connected with the Court in 1515, and that he perhaps went to the University and returned to the Court in 1519 (see *D.N.B.*).

¹ Anno VI = 22nd April, 1514-22nd April, 1515.

² For evidence, see Appendices, p. 234.

My suggestion is that there is no evidence of his connection with the Court or Chapel before 1519.

The Account Book of the Treasurer of the Chamber for the first nine years of Henry VIII (Add. MS. 21481) is duplicated in the two volumes at the Record Office (Misc. Bks., Excheq., T.R., 215-16). These with the preceding volume (214) give a complete sequence of accounts of the Chamber from 21 Henry VII to January, 12 Henry VIII. They are described on f. 1 of No. 214 as "The Kynges boke of paymentes," and they contain, besides occasional payments, the regular entries arranged under the heads of monthly, quarterly and half-yearly payments. Unfortunately the continuation of the King's Book of Payments is broken after January, 1520-1. Egerton 2604 takes up the accounts for one valuable set of Michaelmas payments in 1525.* Three Trevelyan volumes, presented by Sir W. C. Trevelyan to the Record Office, cover the years 1528-31 and the first three years of Edward VI. "Arundel 97", formerly in the Library of the Royal Society, covers the years 1538-41, and there exists a fragment giving quarterly payments for Christmas 1545 (Add. MS. 27404).

We are able, therefore, to trace payments to John Heywood only during the years covered by this particular class of accounts, and it does not follow that because a fragment (Egerton 2604) contains the only known record of a certain payment that it was an isolated payment of that amount.

The duplication of a portion of the King's Book has been alluded to in an earlier paragraph. It is, however, important to notice that the Record Office MS. carries the payments two years farther back than the Museum MS., and it is in these two years (1519-20) that there occurs the first series of payments to the dramatist. Of this series Collier mentioned one item only, and, so far as I know, the existence of the series as a series has not been pointed out. Dr. Wallace

* The date of this manuscript is given on f. 5 as Myffes (Michaelmas), anno XVII.

omits all reference to it. I give the items as they occur in Misc. Bk., T.R. No. 216 :

p. 120.	<i>Quarter Wages due Michaelmas (1519).</i>	
	Item Vincent Vulpe painter	100/-
	Item for John Haywoode qrtor wages at xxli. by the yere	100/-
p. 140.	<i>Quarter Wages at Christmas Ao XI (1519)</i>	
	Item Vincent Vulpe	100/-
	Item for John Haywoode wages	100/-
p. 162.	<i>Yet Quarter wages due at Ester Ao XI (1519-20)</i>	
	Vyncent Vulp	100/-
	Item for John Hawode wages	100/-
p. 192.	<i>Yet Quarter wages due at Mydsom' (1520)</i>	
	Vincent Vold (?)	100/-
	Item for John Haywode wages	100/-
p. 210.	<i>Yet Quarter wages due at Michell. Ao 12 (1520)</i>	
	Item for Vincent Voulp payntr wages	100/-
	Item for John Haywode synger wages	100/-
p. 231.	<i>Yet Quarter wages due at Christmas Ao 12 (1520)</i>	
	Item for Vincent Vulp paynter	100/-
	Item for John Haywode the synger wages	100/-

It will be noticed that the first record of payment on p. 120 differs from the subsequent items in stating the annual salary, a fact which points to this being actually the first payment of the series. Indeed, seeing that the King's Book is unbroken from 1506 to 1520-1, it is safe to conclude that we have here John Heywood's first Court payment. I would add that the payments of the preceding quarter (p. 99) show Vincent Vulp as usual, but not John Heywood.

We saw that at the age of twelve Heywood was not a chorister of the Chapel Royal. Apparently at no time was he a Gentleman of the Chapel. A Choir of twenty-five of the Gentlemen accompanied the Court to Guisnes in the summer of 1520 for the Field of the Cloth of Gold, but Heywood was not among them. One of the singing men, Thomas Farthing, present at Guisnes, died on the 8th December, 1520, in the same year. He had held an annuity of 10 marks from the issues of the manors of Torpull and Makesey in Northamptonshire. This annuity was granted to John

Heywood "during our pleasure" on 12th February, 1520-1 (Privy Seal Warr. No. 499) "in consideracione boni et fidelis servicie quod serviens noster Johes Haywode, etc."

Some irregularity in the form of the warrant led to the issue of a fresh patent in the following April.

Hence it comes about that when the King's Book accounts open again for the isolated Quarterly Michaelmas payments of 1525 they show :

Item to John Heywood player of the virginals £6. 13. 4d.

This new sum of £6 13s. 4d. was probably his regular quarterly wage from the time of Farthing's death, and was made up of his earlier salary of £5 a quarter and the quarter of his annuity of 10 marks. I do not, therefore, feel able to accept Dr. Wallace's statement that this item of £6 13s. 4d. was a fee for some special occasion (*Evolution*, p. 78 n.). It occurs among the quarterly payments just like the series of payments of £5. The apparent isolation is due to the fact that the manuscript is a fragment containing only one quarter's accounts. Dr. Wallace appears to follow Collier in misdating this payment 1526 (see p. 91 n.).

The cost of the French war led to a rigorous overhauling of the expenses of the Royal Household in 1525, when the famous Statutes of Eltham were issued. A number of the royal servants were "discharged out of the King's Court" on annuities or pensions, and the "rate of entertainment of such as shall be discharged" is given as £10 a year for *generosi*, or gentlemen (L. & P. IV, i, p. 871).

Thus in the accounts of the Cofferer of the Household for 1525-6 (R.O., Accounts 41/913), under the head "Annuities", we have the following items :

Massy viliard and 12 others (<i>generosi</i> whose names are given)	£10 per annum
23 "Valecti nuper hospicii" (yeomen of the Household)	£6 per annum
28 "garciones nuper de hospicio" (grooms of the Household), among whom is a John Heywood :	£4 per annum

* I assume that this is the recipient of the special payment on 21st January, 1514-15.

It appears that in 1528 Heywood was so "discharged from the King's Court", for by a fresh warrant dated 8th November, 1528, he was granted an "annuell pencion" of £10 a year for life, and this payment appears in the quarterly statements of the existing books for 1528-31, 1538-41, 1545 and 1547-51 (see p. 39).

Heywood only held his annuity of 10 marks "during pleasure", and there is no patent, so far as I know, to show the nature of his office as "singer" at £20 a year. This, too, was obviously held "during pleasure". We may conclude, I think, therefore, that Heywood enjoyed a salary of £20 a year from 1519 to 1520-1, when it was increased to £26 13s. 4d. by the reversion of Farthing's annuity of 10 marks; and that this was his salary until he was "discharged" on a pension in 1528, and is so shown on the only existing record as being paid in 1525 in the regular quarterly payments.

It appears, therefore, that Heywood's first period of activity at Court began in the summer of 1519 and continued until 1528, and that he was actively engaged at Court between the ages of twenty-two and thirty-one.

It will be seen that my results differ very materially from those given by Dr. Wallace (*Evolution*). He seems to follow Collier in accepting the payment to the yeoman in 1514-15 as the first recorded payment to the dramatist, as he follows him in misdating it; and he omits all reference to the very important series of payments beginning in 1519. This omission is the more strange in view of his criticism of Collier's use of the same manuscripts: "Fragmentary extracts from both books (King's Books of Payments, Vols. 215-16), chiefly notable for omissions, wholly unreliable and worthless for reference, are in Collier, I, 76-9" (*Evolution*, p. 37, n. 3).

Dr. Wallace treats the payment of £6 13s. 4d. in 1525 as "a special fee for some occasion", although it occurs in an ordinary set of quarterly payments, and he dates his

regular salary from 1528. I feel that he has attached a false importance to his discovery of the connected series of three patents dealing with Heywood's pension. The first of these I have noted as granting an annuity of £10 on 8th November, 1528, the second substituted for this a pension of £40 vacant by the death of Sir Wm. Penyson on 4th March, 1552, and the third increased it to £50 on 5th April, 1555. Dr. Wallace found that the first two patents were mentioned in the third, and appears to have concluded that they gave the whole history of Heywood's "regular salary". Further, by a mistranslation of this third patent he extended, as we shall see, the period of his office of Sewer of the Chamber from six years to thirty (*Evolution*, p. 78 n.).

Whereas, however, Dr. Wallace thus treats the year 1528 as marking the beginning of Heywood's career as Court dramatist, I suggest that it marks the close of his first period of Court favour.

The entry of the first payment of the "pencion" occurs on f. 11 in the accounts for 1528-31 (R.O., Misc. Bks., Q.R., 420/11). The book opens on 1st October, and the first set of quarterly payments follows at Christmas. The entry reads :

Item to John Haywood upon warrant dated the viii day
of November a° XX° for his annuell pencion after
the rate of Xli by the yere to be paide unto hym
quarterly from the feast of Saint Mighell last past by
evyn porcions during his lyf as aperth in the same
warrant 50/-

The fact that he was pensioned does not mean that Heywood's connection with the Court ceased, although his affairs now lay principally elsewhere. He appears in the list of recipients of the King's New Year's Gifts in January 1532-3, and this implies that he had also given a gift to the King. One thinks of Sebastian Westcott's New Year's Gift to Queen Mary of a "book of ditties, written", and wonders whether Heywood gave to the King a manu-

script copy of his plays that Rastell printed during the following year. The gift is entered thus :

To Heywood. Item a gilte cuppe with a couer weing
XXIII oz. (S.P. Hen. VIII, N. (1).)¹

Except for the performance in 1539 of Cromwell's *Masque of King Arthur's Knights*, this is the only reference I have found to Heywood at Court during the years 1528-52. The Lord Chamberlain's Accounts support the view that he was not, during this period, an active servant, for whilst he was granted full livery for himself and two servants as Sewer of the Chamber at the funeral of Edward VI, under whom he had succeeded to Sir Wm. Penyson's pension of £40, he was not mentioned in the accounts of Henry VIII's funeral (L.C. 2/2) nor of the coronation of Edward VI (L.C. 2/3), when his pension was £10. Similarly, having definitely retired on 12th November, 1558, he does not appear in the accounts of Mary's funeral (L.C. 9, 5 (2)), nor of the coronation of Elizabeth (L.C. 9/4). The Lord Chamberlain's accounts at the Record Office do not contain an account of Mary's coronation, but the Wardrobe Warrants² show that he had his livery for the ceremony as a Sewer of the Chamber. The fact is that he became an honorary Sewer of the Chamber, *dapifer camerae*, and so was entitled to his livery, between 4th March, 1551-2, and Edward's death, 6th July, 1553.³

¹ See p. 78.

² R.O., Exchequer Accounts, 427/5.

³ The patent issued by Philip and Mary on 5th April, 1555, states clearly that the earlier annuities of 1528 and 1551-2 were granted to Heywood *per nomen dilecti servientis nostri*, but that now (*modo*) he was *dapifer camerae*. The patent reads: "Rex et Regina omnibus, &c. . . cum percharissimus pater noster . . . Henricus nuper Rex Anglie per billam suam signatam sub sigillo suo manuali datam octavo die novembris anno regni sui vicisimo dederit et concesserit delecto servienti nostro Johanni Heywood Generoso *modo* an*i* dapiferorum camerae nostrae *per nomen dilecti servientis* quandam annuitatem . . . decem librarum per annum &c. . . Cumque etiam percharissimus frater noster . . . Edwardus nuper Rex Angliae sextus per litteras suas patentes datas apud Westministerium quarto die Martii Anno Regni sui sexto dederit et concesserit prefato Johanni Heywood *per nomen dilecti ac fidelis servientes sui Johannis Heywood* quandam annuitatem . . . quadraginta librarum."

It is probable that Heywood was married in 1523, for in that year he was admitted to the Freedom of the City on request by letter from the King, and took up his residence in the City.

The Town Clerk's Records at the Guildhall show that in the Mayoralty of Mundy the Common Council refused to admit the King's servant, John Heywood, to the Freedom, "except he pay the new hanse of £10 according to the new Act" (3rd March, 1522-3). At a Common Council, however, on 22nd May, 1523, "at the contemplacion of the Kynges letter, John Heywoode ys admitted into the liberties of this citie, payinge the olde hanse" (Letter Book N, ff. 222 and 239). Similar entries occur in the Journals.¹

As admission to the Freedom was either by Patrimony, Apprenticeship, Gift, or Redemption, it appears that Heywood had no claim by Patrimony, and that he was, therefore, not born of London parents.²

An item in the Town Clerk's Records of 5th May, 1521, (Repertories 5, f. 284) is of value as showing the activities of Heywood's father-in-law, John Rastell, at that period:

It is agreed by the Courte that the pageante devised by Rastell to stond at the litell conduyte by the stokkes shall go forth and take effect, so alwey that the charge thereof exceed not XV li.

The "litell conduyte" stood at the east end of the Church of St. Michael in the Querne in Cheapside, near Paul's Gate, where Rastell's shop stood "at the Sign of the Mermaid".

In the previous summer Rastell had been engaged in preparing the magnificent hall for the Field of the Cloth of Gold.

John Heywood married Rastell's daughter, Joan. In her brother William's will the first-named daughter of John Heywood is Joanna Stubbs. Now, in the Trinity term,

¹ The jealousy with which the City guarded its privileges is shown by an entry in 1518: "The letter of Maister Richard Pace, the Kynges secretary, for his brother to be admitted to be made freeman of the city was reade and the said counsell would in no wyse agree therto."

² See pp. 29-30 on Heywood's parentage.

1542, John Heywood and Joan, his wife, and Christopher Stubbe^{*} and Joan, his wife, jointly conveyed to Wm. Rastell for a payment of £200 property in Tottenham consisting of two messuages of 60 acres of land, 40 acres of meadows, 60 acres of pasture, and 20 acres of marsh, *cum pertinentibus* (Feet of Fines, 34 Hen. VIII, 27/184).

I imagine, therefore, that Joan Stubbs, Heywood's daughter, thus took her dowry and marriage settlement, being then newly married at the age, say, of eighteen; and I assume that Heywood's admission to the Freedom of the City in 1523 implies that he was married then and became a householder in the City. It was probably through the influence of his father-in-law, John Rastell, that he was admitted a member of the Stationers' Company.

From the age, therefore, of about twenty-five Heywood was a citizen of London, and his association with the City became intimate and official. In Letter Book O of the Town Clerk's Records at the Guildhall occurs an entry hitherto unnoticed:

20 Die Januarii. Dodmer Maier. (1529-30).

John Heywood citizen and Stacyoner of London and oon of the kynges serauntes ys presented by Maister Rauff Warren Maister Wardeyn of the Mercers to this Courte as Comen Mesurer or meter of lynnyn Clothes to occupie by hym or his sufficient depute and to doe Right and equally betwene all parties. And also he ys transmuted from the saide craft of Stacyoner unto the mistery of Mercers by thassent of bothe the saide mestares.

This record is interesting for several reasons. It shows that Heywood, having been put on the list of life annuitants by the Crown in 1528—a substantial privilege—was welcomed a year later by the foremost of the London Livery Companies. It supports my contention that Heywood's first period of Court activity culminated rather than began in 1528. Further, it is noteworthy that 1529 was the year in which

^{*} Son of a Prothonotary of the Common Pleas—another link with legal circles.

More became Chancellor, and More's influence in the City was very considerable.¹

Pitseus describes John Heywood as for many years most intimate with Sir Thomas More, and since More died on 5th July, 1535, the term *multis annis familiarissimus* must mean that Heywood was one of the young people More loved to have about him.

A consideration of dates suggests that Heywood had been introduced to the Court by More. His first quarterly payment in 1519 shows that his appointment dates from Midsummer, and it was on 23rd July of that year that More gave up his office as Under-Sheriff, which he had held since 1510, and became absorbed at Court.²

The process of absorption had been gradual. Already, before the publication of *Utopia* in 1516, he had attracted Wolsey's notice; in 1518 he was Master of Requests and a Privy Counsellor, and in 1520 he was present at the Field of the Cloth of Gold; in 1521 he was knighted and made Sub-Treasurer; in 1522 and 1525 large grants of lands were made to him; in 1523 he was Speaker; in June 1525, he took a prominent part in the pageants at the creation of Henry's natural son as Duke of Richmond (Brewer, II, 102), and in July he was made Chancellor of the Duchy of Lancaster. He succeeded Wolsey as Chancellor in 1529 and resigned in 1532.

The case of John Clement, More's brilliant son-in-law, may be instanced as an illustration or parallel of Heywood's.

¹ Another instance of More's influence in the City in 1529 may be alluded to: "At this courte Sir Thomas More Chauncelir of the Duche of Lancaster recommended oon Water Smyth nowe his servaunte and hath contynued wt hym by the space of viii or ix yeres to the Rowme of the Swerde berer yn stede and place of Richard Berwyk late nowe deceased . . . et postea . . . Walterus admissus fuit" (Letter Book O, f. 168b). This is the Walter Smyth who wrote the *Twelve Merry Gests of the Widow Edyth*, printed by John Rastell in 1525.

² It may be significant that the year 1519 witnessed a reform of the Household which caused some comment at the time. The King removed from the Court "divers that were his minions and of his chamber . . . and the bruit was that they after their appetite governed the King" (L. & P., 20th May, 1519). Henry was twenty-eight years of age.

Clement was present (with Peter Giles) at the birth of *Utopia* in the garden at Antwerp. In 1518 Erasmus alludes to his being in attendance on the Cardinal (L. & P., 10 Hen. VIII), and warns him against studying at night, suggesting that he learn to write standing while on duty. Next year he was Wolsey's lecturer in Rhetoric at Oxford and Reader in Greek. In 1520 More tells Erasmus that Clement has taken up Medicine and resigned his Readership to Lupset * (L. & P., 12 Hen. VIII). Thomas Linacre, friend of More and Erasmus, had founded the College of Physicians in 1518 at his own house, the "Stone-house in Knight Rider Street" (Roll of R.C.P. by W. Monk, 1878). In 1525 Clement is described in the Eltham Statutes as a "Sewer of the Chamber, out of wages", and in the same year he appears in the King's Book of Payments (Eg. 2604) :

Item John Clement, exhibico ultra mare, £10.

When the King's Book re-opens in 1528 he is in regular half-yearly receipt of £10 as "Phisicon", and this payment is recorded in the existing books up to 1540, when he drops out of the accounts.

He had been elected a Fellow of the College of Physicians in February 1528, and in the following year he was sent by the King to see Wolsey at Esher, where he was already suffering from his last illness.

The year 1519, from which I date Heywood's career at Court, was also, as we have seen, an important one for his future father-in-law, and a consideration of the activities of More, Clement and John Rastell and their close and familiar relationship seems to warrant one in concluding that Heywood entered upon his life at Court as one of their circle. His known loyalty to the memory of More, perhaps, tends to obscure the influence of his versatile and energetic father-in-law, John Rastell. It should, however, be borne in mind that at a very impressionable age he must have

* * Successit enim (Lupsetus) Joanni Clementi meo, nam is se totum addidit rei Medicæ."—More to Erasmus (More's Latin Works, Basle, 1563).

been closely interested in his numerous schemes and undertakings.

The years immediately preceding 1519 Heywood had probably spent at Oxford. His name does not appear in the printed Registers, but there is nothing improbable in Anthony à Wood's account of the matter: "He laid the foundation of learning in this University, particularly as it seems in that ancient hostel called Broadgates in St. Aldate's parish; but the crabbedness of logic not suiting with his airy genie, he retired to his native place, and became noted to all witty men, especially to Sir Thomas More". It may be noted that the numerous woodcuts in the *Spider and the Flie* (1556) show the author in what Sir A. W. Ward describes as an M.A. gown (*D.N.B.*), and further, that he is described in Wm. Rastell's will as "Dominus", possibly as an academic title, although it is also applicable to the lord of a manor (*Martin's Record Interpreter*, p. 197).

His contemporaries certainly did not consider Heywood a scholar. In 1548 Bale wrote of him:

Johannes Heywode, ut Orpheus alter, instrumentorum studiosus, musica et poeta, habebat in sua lingua gratiam (*Scriptorum*, Ipswich ed.).

In 1557 he says more emphatically that he was "in sua lingua studiosus ac sine doctrina ingeniosus".

Pitseus in 1619 wrote: "Johannes Heywodus, Thomae Moro multis annis familiarissimus, vir pius, utcumque doctus valde ingeniosus . . . et in familiari colloquio lepidus atque facetus". He adds, however, that he had his sons thoroughly grounded in *bonis litteris*. Pitts knew Jasper Heywood well: "Gasparum Romae primum, deinde Neapoli familiariter novi".

I think that some light may be thrown on Heywood's connection with Oxford when we learn more of his friendship with William Forrest, afterwards Chaplain to Queen Mary.

In 1544-5 Forrest dedicated to Wm. Parr, Earl of Essex,

a poem in "simple royal metre", on *The History of the Patriarch Joseph*. He protests that he has not the "flourishing vein of Gower's phrase"; "flowers of rhetoric" he never gathered, and as for learning, "Heywood and I be near one". He praises him ("my friend Heywood"), however, "for the conveyance of a fine sentence" (Add. MS. 34791).

Forrest was an enthusiastic musician, and left behind him a very valuable collection of contemporary music, now at Oxford and known as the "Forrest-Heyther" Collection, consisting of six part-books written in 1530 by (or for) Forrest (Davey, *Hist. Eng. Mus.*, p. 98).

It seems that in the "simple and unlearned Sir William Forrest, Preiste", we have an Oxford musician whose academic position is not unlike Heywood's.

It appears from his poem on Queen Katherine ("The Second Gresield") that Forrest knew Christ Church, Oxford, in 1530, and Warton says that he had a Christ Church pension of £6 in 1555 (Hazlitt's *Warton*, iv, 231).

In 1521 Heywood not only received the annuity of 10 marks, but had hopes of an important grant of the manor of Haydon, one of the manors of the Duke of Buckingham, who had been executed on 17th May, 1521. The manor is situated on the north-west border of Essex. Our only legal authority for the grant, so far as I know, is a legal commonplace book in which a copy of the draft enrolment occurs (Add. MS. 24844). The grant is made out to Heywood and his heirs male "in consideracione veri et fidelis servicii", but it was not confirmed.

Heywood's grants and payments from the Crown may, perhaps, be most conveniently considered together. They are:

1. Wages at £20 per ann. to "John Heywood, Singer," from Michaelmas, 1519.
2. Annuity of 10 marks "during pleasure" from 8 Dec. 1520.
3. Pension for life of £10 a year from Michaelmas, 1528.
(Terms of Warrant given Xmas 1528 in Excheq.

- Q.R. 420/11). 1 and 2 now cease and a regular quarterly payment of 50/- to "John Heywood, Player of the Virginals," takes their place.
4. Recovery of his Manor of Brookhall, near Tiptree in Essex, on the assent and recommendation of the Court of Augmentation, for 21 years at a rent of £14. 1. 6. (1540) (see p. 35).
 5. Pension of £40 vacant by the death of Sir Wm. Penyson; granted 4th March, 1552, by Edward VI in place of the old pension of £10 (Ct. of Aug., Enrol^t. of Leases, 6 Ed. VI). Becomes *dapifer camerae*.¹
 6. Reversion of leases in Romney Marsh² (Pat. Roll, 1 and 2 P. & M.). These lands are fully described later from an Inquisition held 14 Eliz., Heywood being then described as living at Hinxwell, Kent (near Ashford). (202½ acres at £45 17s. od. per annum.)
 7. Pension increased to £50 in 1555 (Pat. Roll, 1 and 2 P. & M., Pt. 4). This enrolment, as Dr. Wallace notes, mentions the two earlier amounts of the pension (£10 on 8th Nov., 1528, and £40 on 4th March, 1552) and records in the margin its final cancellation on 12th Nov., 1558, under the terms of the next grant.
 8. The manor of Bulmer and other lands in Bulmer and Belborne, near Malton, Yorks, belonging to Sir John Bulmer, recently attainted of High Treason. This grant was made 12th Nov., 1558, five days before Mary's death, and marks Heywood's retirement from the Royal service.

An examination of the dates of these grants confirms my earlier statement that Heywood had two well-defined periods of activity at Court, the first from 1519 to 1528, the second from the reign of Edward VI to the close of Mary's reign. It is to the second period that Puttenham refers: "Afterward in King Edward the sixth's time came to be in reputation for the same facultie ('vulgar makyngs') . . . John Heywood the Epigrammatist who for the myrth and quicknesse of his conceite more than for any good learning was in him came to be well benefitted by the king" (Arber's ed., p. 74).

¹ "Sewer of the Chamber."

² Forfeited to the Crown by Sir Thomas Wyatt.

II

The first part of this chapter has dealt mainly with Heywood's life up to the year 1528, when his first period of Court favour closed and he was granted a pension, but before proceeding to his second period of activity at Court, under Edward VI and Mary, we have to examine the gap between 1528 and 1552, during which time he received no mark of the King's favour except the New Year's Gift in 1532-3.

A shadow now falls over the reign of Henry VIII. The frivolous glories of the Field of the Cloth of Gold give place to the tragedies of the Divorce; the dreams of Utopia are dispersed by the rude breath of intolerance. Wolsey, the dominant spirit of the earlier period, fell in 1529, and before long the reign became indeed the reign of Henry VIII.

After three years of unusual activity as a printer, Rastell issued in 1530 his last important book, *A New Book of Purgatory*, in which he defended the old doctrine "by natural reason and good philosophy" in a dialogue between a Christian "Almeyne" and a Mohammedan Turk. More, now Lord Chancellor, also entered the lists. Frith's answer, according to Bale, converted the exponent of "natural reason"; and from this time up to his death in 1536 Rastell was the untiring supporter and agent of Cromwell. As member for Dunheved, in Cornwall, he sat in the Reformation Parliament (1529-36) that destroyed the papal jurisdiction in England. Meanwhile his son William had set up his own press and printed among his first books *Caesar's Commentaries* in Latin and English in 1530 (Duff's *Century of English Printing*); and in 1532, the year in which More resigned the Chancellorship, he was admitted at Lincoln's Inn. Cranmer succeeded Warham in 1533, and on 23rd May pronounced, at Dunstable, the King's marriage void. Pole had left England in the spring to return on Mary's accession.

It was at this juncture that the younger Rastell began,

as though to close a chapter of old history, to print the plays associated with the name of Heywood.¹

Meanwhile, the old Rastell in his new allegiance was separating from his former friends. The years 1532-4 witnessed a determined revival in the city, led by the Common Council, of hostility to the "curates" and their claims to tithes and fees. The subject is treated fully in the *Victoria County History of London*, pp. 250 ff. A Commission consisting of Cranmer, Cromwell, the Chancellor, Winchester and the two Chief Justices settled the matter by fixing the payment at 2s. 9d. in the pound on rental, and the Common Council rewarded the suitors who had led their agitation. The decision was enforced by Royal Proclamation (1534-5) and an Act of Parliament in 1536. Rastell, however, was apparently opposed to the principle of tithes, and, continuing the agitation in the face of the Act and Proclamation, was thrown into prison, where he died in 1536, impoverished and forsaken alike by his old and new friends.

Almost exactly a year earlier, on 6th July, 1535, More had paid the penalty of his loyalty to the old order, and the following passage, from Roper's *Life*, shows us not only the deep impression this crime made on the wider world of Western Christendom, but also the weight with which the blow fell on Heywood's circle, the little band of the *familiarissimi*.

"Soon after (More's) death," writes Roper, "came intelligence thereof to the Emperor Charles, whereupon he sent for Sir Thomas Eliot, our English Embassadour, and said to him, 'My Lord Embassadour, we understand that the king your master hath put his faithful servant and grave counsellor, Sir Thomas More, to death . . . had we been master of such a servant . . . we would rather have lost the best cittee in our dominions, than have lost such a worthy counsellor.' Which matter was by the same Sir Thomas Eliot to myselve, to my wife, to Mr. Clement and his wife, to Mr John Heywood and his wife, and unto divers others his friends accordingly reported."

¹ (1) *A Play of Love*, made by John Heywood, 1533 and 1534. (2) *The Pardoner and the Friere*, 5th April, 1533. (3) *The Play of the Wether*, made by John Heywood, 1533. (4) *Johan, the Husband*, 12th February, 1533.

It was probably while More and Rastell were in prison that Heywood began the *Spider and the Flie*. He published it in 1556, but it was begun twenty years before :

I have (good readers) this parable here pende :
 (After olde beginning) newly brought to ende.
 The thing, yeres mo then twentie since it begoon.
 To the thing : yeres mo then ninetene, nothing doon.
Spider and Flie. (The Conclusion.)

The work had been untouched for at least twenty years, and was begun earlier. I think there are good reasons for supposing that John Rastell was the original " flie " and Cranmer the spider.

In 1534 Heywood wrote the ballad to Princess Mary, *Give place ye ladies*, which is found in Tottel's Miscellany, where it is printed without the last two quatrains :

This worthye ladye to bewraye
 A kinges daughter was she
 Of whom John Heywood lyste to say
 In such worthy degree.

And Marye was her name weete yee
 With these graces indude
 At eighteen yeaeres so flourisht shee
 So doth his meane conclude.

This fuller version appears in Harl., 1703, a book of poems mostly by Heywood's friend, William Forrest, " the symple and unlearned priest " (see p. 49).

Mary was born on 18th February, 1515-16, and it is significant of Heywood's sympathies that this ballad was written within a year or so of the divorce, and soon after Mary had been declared illegitimate.

Sir A. W. Ward (*D.N.B.*, art. Heywood) says that " the opening and the prettiest passages of the poem are borrowed from Surrey " ; but as Surrey was born in 1517, according to the inscription on the Arundel portrait, it is more likely that he borrowed from Heywood.

As a musician, Heywood appears to have been associated

with John Redford, of St. Paul's, the composer of instrumental music and writer of plays.

The signatures or "Acknowledgements of Supremacy" taken in 1534 are collected and printed in Deputy Keeper's Report, 7, App. 2, pp. 279-336, and among the six Vicars-Choral or singing men of St. Paul's we find Redford's name. In his will (P.C.C. 50, Alen), which was proved in 1547, Redford describes himself as "oon of the Vicars of the Cathedral Church of Saynt Paule and maister of the Almerie there".¹ His sole executor and residuary legatee was his successor, Sebastian Westcott, "oon of the vicars of powles".

One of the most valuable collections of Tudor instrumental music, the famous "Mulliner" book (Add. MS. 30513), contains a considerable amount of Redford's best work,² and it is made more interesting by the inscription on the first flyleaf, in a suspiciously stiff hand :

Sum liber thomae Mullineri
iohanne heywoode teste.

It is a small oblong book in an original binding with rolled border of conventional ornaments alternating with the portcullis, rose, fleur-de-lys and the letters H.R. A similar binding at the Record Office is described by Weale (No. 191), and I believe it occurs again on the Eton College MS., which Davey (p. 89) describes as the most important of the musical remains of Henry VII. This last book was almost certainly written originally for Eton. The "Mulliner" binding has, so far as I know, not been authoritatively described.

Mulliner's compositions are well known, but little is known of him, except that he is said to have been at St. Paul's (*D.N.B.*). He appears from the inscription above to have been Heywood's pupil and under him to have collected a

¹ As Thomas Hyckman, Redford's predecessor as "Master of the Almerie" (i.e. Master of the Paul's Boys), died in 1534, we may date Redford's period of office 1534-47. Redford was succeeded by Westcott.

² This was a period of English pre-eminence in music. The Chapel Royal attracted a remarkable concentration of musical talent, but the great composer of instrumental music under Henry VIII was John Redford of St. Paul's (Davey, *Hist. Eng. Mus.* (1895), pp. 141 and 166).

good deal of Redford's music. Perhaps he was the Thomas Mulliner who in 1564 was organist of Corpus Christi, Oxford (Davey, p. 129).¹

I think that there is no doubt that Heywood was associated with Redford both as a musician and a dramatist. With his successor at St. Paul's as Almoner, Sebastian Westcott, sole executor of Redford's will, he was certainly closely associated.

There is a kindly reference to Redford in Thomas Tusser's autobiographical verses. Tusser was born at Rivenhall in Essex, near Witham, and not far from the Manor of Brookhall, that Heywood leased from St. Osyth's. He was sent as a chorister to the college attached to the castle at Wallingford, whence "friends" obtained his removal to St. Paul's.

With Redford there, the like no where,
For cunning such, and virtue much;
By whom some part of musick's art
So did I gain.

From Redford Tusser was sent to Udall at Eton, where he was unhappy. Udall was Vicar of Braintree, four miles from Rivenhall, from 1537 to 1544 and Head-master of Eton from 1534 to 1541, so that it is probable that Tusser's people, who were gentlefolk, were known to both Udall and Heywood.²

¹ Mulliner's association with St. Paul's seems to rest on this inscription, which I am much inclined to treat as a picturesque forgery. Sir E. K. Chambers tentatively fits Mulliner in between Redford and Westcott as Master of the Paul's Boys, but there was probably no gap.

² In Karl Pearson's *Chances of Death* (App. II) occur interesting extracts from the Churchwardens' Accounts of Braintree, which show great dramatic activity from 1523 up to 1579. Udall was, perhaps, responsible for the play mentioned in 1534, *Placy Dacy alias Sir Ewe Stacy*. Similar accounts at Chelmsford for the same period show that a considerable revenue was received there from the hiring of theatrical costumes by the villages for miles round. It will be remembered that Stock ("Ynge Gyngiang Jayberd") is near Chelmsford, and it is, perhaps, worthy of note that Alexander Barclay was Vicar of Great Badow, now a suburb of Chelmsford, from 1546. Barclay's bequests to Great Badow show that his connection with it was not entirely vicarious. (P.C.C. Wills, 17, Powell). An interesting law-suit of Mary's reign shows that he had it in mind to rebuild the vicarage.

A reference to the original Brookhall lease signed "by me Jhon Heywod" is important at this point as showing the nature of Heywood's rights and obligations as a lord of the manor in this district. It is dated 20th February, 1538-9, and is preserved among the Conventual Leases (Essex 46) at the Record Office. The indenture describes the lease for ninety years of the Manor of Brookhall in Tolleshunt Knyghtys by John Colchester (*alias* Whederyke), Lord Abbot of St. Osyth's, to John Heywood of London, gentleman,

with all the appurtenances, lands, tenements, meadows, pastures, commons, and workes of tenantes, with the patronage and avowson of the church and benefice of Tolshunt Knyghtys aforesaid, and the rentes and service of the tenantes of the say^d maner with the cortes of lete and cort barones and the profites, fynes, harryottes, wardes, mariages, relieffes, eschetes, felons goodes, weffes, strayes, woods and underwoods and all other profites and comodities with theyr appurtenances . . . from the feste of saint michell last past . . . paying therefore yerely eight pounds of lawfull money of England.

As we have seen, (p. 35), this lease was confirmed to Heywood after the surrender of the abbey by the Court of Augmentations at a much higher rent and, like other crown leases, for a term of twenty-one years only.

Redford was the author of the Interlude *Wit and Science*, which is found in a book similar to the Mulliner Book (Add. MS. 15233). This also retains its original binding, but reparation and varnish have obliterated the ornamentation. The book contains some music by Redford, his Interlude, a fragment of a second Interlude (*Will and Power*) and an interesting collection of poems by Redford, John Heywood, Miles Huggard, Thomas Pridiox, John Thorne, Knight and others unnamed. Unfortunately several leaves have been cut out in more than one place, but the book preserves more of Heywood's minor verse than exists elsewhere.

One of the most attractive poems is Redford's

humorous lament of the "poore syllye boyes", with the refrain :

Of all the creatures / lesse and moe
 We lytle poore boyes / abyde much woe.
 Wee have a cursyd master / I tell you all for trew
 so cruell as he is was never turk nor Jew
 he is the most unhappiest man / that ever ye knewe
 for to poore syllye boyes / he wurkyth ev^r much woe.

This song-book seems to be a St. Paul's collection. Redford's work and Heywood's form the greater part of it, and it is clear that the collection was still being added to in Westcott's time.

"Sebastian, scolemaister of Powles, gave queen Mary on New Year's Day, 1557, a book of ditties written" (Nichols' *Progresses*, I, xxxv.). Perhaps, if this book came to light, it would be found to be based upon this repertory of St. Paul's songs.² Mulliner's book remains to show, if his signature is genuine, that he was one of Heywood's most gifted pupils, but there was at least one other who was more distinguished, for in January 1536-7 there occurs the entry in Princess Mary's Book of Expenses (Royal 17 B, xxviii, f. 7b) :

Item given to Heywood's servant for bringing my lady graces Regalles to Greenwich xx^d.

and a year later on, f. 42 of the same MS., is the item, March 1537-8 :

to Heywood playing an interlude with his children before my lady grace xls (40/-).

The question has often been raised as to who Heywood's children were, and as this is the earliest reference to them, it may be useful to deal now with all the known references together. They are five in number :

1. The reference given above, which simply calls them "his children".

² The Interlude and poems of Add. MS. 15233 were printed for the Shakespeare Society by Halliwell Phillipps in 1848.

2. In 1551, 13th February, the Household Expenses of Princess Elizabeth (Camden, Misc. II) show the entry :

Paid in rewarde to the Kinges maiesties dromer and phippe 20/- ; Mr Heywoode 30/- ; and to Sebastian towards the charge of the children with the carriage of the plaiers garments £4. 19. 0. In thole as by warraunte appereth £7. 9. 0.

As this is one charge paid under a single warrant it points to one entertainment rather than three separate ones as Dr. Wallace prefers to read it, and it suggests Heywood's collaboration with Westcott and the Paul's children.

3. In 1552 the Revels Accounts from Loseley MSS. (ed. Feuillerat, 1914) show

a play of the state of Ireland and another of children set out by Mr Heywood.

In this instance twelve coats are paid for "for the children", and, as the number of the children of the Chapel Royal was twelve and this series of entertainments was under the control of George Ferrers and the Office of the Revels, it seems probable that these were the boys of the Chapel. In Colet's time the number of boys under the Almoner of Paul's was eight (Sparrow Simpson, *Reg. Stat.*, p. 234), but in Sebastian Westcott's time there were ten.

4. Mary's progress through the City from the Tower to Westminster, an occasion of much pageantry. Stowe's *Annals* (p. 617) says :

Then she rode forth (from Cheapside) and in Paul's Churchyard against the School (Colet's foundation at the East end of the Cathedral) one Master Haywood sate in a pageant under a vine and made to her an oration in Latin and in English.

Then after an account of a feat by Peter the Dutchman who performed on the steeple, Stowe adds :

Then there was a pageant made against the Dean of Paul's Gate (on the S.W. side of the Cathedral) where the choristers of Paul's played on vials and sung.

Heywood's pageant is more particularly described in the *Chronicle of the Gray Friars* (Camden Soc., p. 82 n.) as "a pageant in Powlles Churchyard at the est ende of the church, and there she stode longe for it was made of rosemary withall her armes and a crowne in the myddes".

A third description occurs in the *Chronicle of Queen Jane and Queen Mary* (Camden Soc., p. 30, and Harl. 194):

At the Scholehouse in Palles church ther was certayn children and men sung dyverse staves in gratifying the quene; ther she stayed a goode while and gave diligent ere to their song.

Here we have two distinct pageants, Heywood's at the east end, at St. Paul's school, thrice recorded, and particularly honoured by the Queen's especial notice; and the pageant by the Paul's children (at the Dean's Gate) near the Almerie.

Heywood has here a choir of men and boys who were not from St. Paul's, and this pageant was probably a tribute from Colet's School, staged, managed and augmented by Heywood, who also read the Latin encomium and perhaps composed the English one.

5. In Machyn's Diary under the date August 1559, occurs the last recorded reference to Heywood's dramatic activities in a description of the entertainments provided for Elizabeth at Nonsuch:

a playe of ye chyldren of powlls and ther master S(ebastian), Mr Phelypes and Mr Haywode, and after a gret banket.

References of dramatic interest in Machyn have to be examined, as the manuscript has been tampered with in some cases, but this entry is quite clean. The full name Sebastian is taken from Strype, who used the manuscript before it suffered from the Cotton fire.

Here again we have an undoubted instance of Heywood's association with Westcott and the Paul's boys, and from what has already been said of Westcott's predecessor, John

Redford, as a musician and writer of plays, it is probable that the connection was one of long standing.

Thus, of five references, two are definitely to the Paul's children, one may be to Colet's foundation, one is possibly to the Chapel children, and the earliest is quite uncertain, although at the time Heywood was associated with Redford.

On the whole, I think the evidence points to Heywood being associated with St. Paul's or "called in" there and elsewhere, to manage, collaborate, or advise. He was the author or joint author of plays and the deviser or joint deviser of pageants, and where so much is uncertain we can at least, I think, postulate his association with Redford and Westcott.

Dr. Wallace's statement, therefore, appears to need reconsideration :

Heywood is not known to have written for or to have been in any way associated with any other children's company than the Children of the Chapel. His services as sewer of the chamber, singer, musician and general entertainer were retained at Court by Henry VIII, Edward VI and Queen Mary on regular fees as well as by annuities and royal manorial grants. It is not likely therefore, as has been generally guessed, that he ever wrote for the Paul's boys, although seven of his songs and ballads probably intended to be sung in interludes were collected by his friend John Redford, former master of Paul's in a MS. containing Redford's own interlude of *Wit and Science*.—(*Evolution*.)

I have already shown that there is no evidence of Heywood's activity at Court between 1528 and 1552, although he appears to have been a *persona grata* with Princess Mary. The only instance of a Court performance by Heywood during this period was paid for by Cromwell and prepared for him in 1538-9, the year after Heywood's children played before the Princess.

The following items referring to it occur in Cromwell's Book of Accounts (R.O., Excheq., T.R., Misc. Bk., 256) :

II Feb. (1538-9). Chris. Mylyoner. Payed to him for the

stuf of the maske of king arturs knights £10. 17. 11 and for the labor of workmen £3.

12th Feb. for necessities for my Lords maske and also for comfittes when the Lords dyned with my Lorde, £9. 2. 1.

21st Feb. Payed to the paynter that made all the hobby horses and the other things ther belonging, £33. 17. 6. Heywoode. The same daye payed to him for his costes and other necessities layed out £6. 10. 5. Mrs Vaughan. The same day payed to her for certayne things bought of her for the maskes £6. 7. 6.

The 22nd of the same monetht payed to the bargeman that carried Heywoods maske to the courte and home againe, 16/8.

These items all seem to refer to one masque. The hobby horses were for *King Arthurs Knights*. It was "Heywood's maske", and it was performed twice at Cromwell's expense, at his house before 11th February and again at Court before 22nd February. The items show further that it was a costly and elaborate performance.¹

On 10th July, 1540, within six months of the performance of the burlesque masque of *King Arthur's Knights*, Cromwell was executed and power fell into the hands of Norfolk, whose sympathies were with the Catholic party. Attacks were begun upon the Reformer Cranmer, and Heywood became seriously involved in them. The conspirators imagined that they had in the "Statute of the Six Articles" an instrument that would enable them to convict the Primate of heresy, and, secretly supported by Gardiner, they began to accumulate evidence in Cranmer's own diocese

¹ Cromwell's Accounts show the existence of an extraordinary multiplicity of actors' companies:

Feb. 1536-7.	The Queen's Players (Jane Seymour)	20/-
Dec. 1537.	The King's Players	22/6
" "	The Lord Chamberlain's Players	20/-
" "	The Marquis of Exeter's Players	15/-
Jan. 1537-8.	The Lord Warden's Players	20/-
" "	The Duke of Suffolk's Players	20/-
" "	The Lord Chancellor's Players	10/-
Feb 2nd, 1537-8.	Woodall (Nicholas Udall) the school-master of Eton for playing before my Lord	£5
Feb. 4th, 1537-8.	Lord Cobham's Players	20/-
April 1538.	Mr. Hopton's priest for playing before my Lord with his children	22/6

in Kent. But Henry, who had no intention of sacrificing Cranmer, made him president of the Commission of investigation. Shakespeare tells the story of Cranmer's victory in *Henry VIII*, Act v, Sc. iii.

Several of the conspirators were convicted of treason and condemned to death with forfeiture of their goods and estates, and among these was John Heywood.

Winchester's nephew, German Gardiner, was hanged and quartered on 7th March, 1544, and the same fate befell John Larke, Rector of Chelsea, and other priests. In April John More recanted and was pardoned. Beckinson was pardoned in May, but Heywood remained obdurate, or was kept in suspense till the end of June. On Sunday, 6th July, at Paul's Cross, he read a long and humiliating recantation, robed in a white gown, and received his pardon. I have searched without success at the Record Office for the report of a Commission appointed on the 12th April to take over the estates and goods of the condemned men.

Harington's *Metamorphosis of Ajax* (1596), a satirical and very unpleasant *jeu d'esprit* that offended Elizabeth, has a passage bearing on Heywood's escape from the Tyburn hurdle :

What think you by Haywood that escaped hanging with his mirth? The king being graciously and (as I think) truly persuaded that a man that wrote so pleasant and harmless verses could not have any harmful conceit against his proceedings; and so, by the honest motion of a gentleman of his Chamber, saved him from the jerk of the six stringed whip. This Haywood for his proverbs and epigrams is not yet put down by any of our country (Chiswick ed., p. 41).

It was probably while Heywood's case was the talk of London that the *Four PP.* was published. Wm. Middleton, the printer of the play, according to Mr. Duff, began to print in 1542 and he died in 1547 (P.C. Wills, 39, Alen). In any case Heywood certainly did not collapse under his disgrace, for in 1546 Berthelet, the King's printer, published

his *Dialogues conteyning the number of the effectual proverbs in the English tounge, compact in a matter concernynge two maner of maryages*.¹ This, together with subsequent collections of six hundred epigrams, was published in 1562 as *John Heywoodes Woorkes*, by Th. Powell. No copy of the *Dialogue* is known to exist, although it was sold at the Roxburghe sale in 1812 (Lowndes). It is also recorded in the Hist. MSS. Commission's Report on the Paget MSS. as appearing in a MS. catalogue written by Lord Stafford in 1556.

The patent enrolling Heywood's pardon refers to him as "late of London, *alias* of North Mymmes." He had bought the lease of a property there, named Iveries, from John Coningsby, Lord of the Manor, on 2nd November, 1540, and in 1542 Wm. Rastell also bought two properties there (Feet of Fines, 1542, Easter and Michaelmas).

North Mymmes was a home of the Mores, who owned the sub-manor named Gobions, the other sub-manor of Brookmans belonging to the Fortescues. Henry Peacham, the author of *The Compleat Gentleman*,² says :

Merry John Heywood wrote his Epigrams, as also Sir Thomas More his Utopia, in the parish wherein I was born (North Mims in Hartfordshire, near to St. Albans), where either of them dwelt and had fair possessions.

Peacham was born in 1575, and his evidence may be taken to represent the talk of intelligent people. There is no reason to reject Peacham's statement as to Heywood, but Sir Thomas More never possessed Gobions, for it passed to the widow, Lady Alice, on Sir John More's death. Except for the years 1565-7 the registers of the Church contain no entries earlier than 1662, and there are no memorials

¹ On 8th August, 1544, a month after his pardon, a John Heywood appears as a "Captain of the men" serving at the siege of Boulogne. Did Heywood seize this opportunity of re-establishing himself? John Rastell was similarly engaged in 1512-13.

² Dr. Johnson is said to have taken his heraldic definitions from *The Compleat Gentleman*.

relating to either the Mores, Heywoods or Peacham. Whether Heywood had any interest in North Mymmes before he acquired Iveries in 1540 I cannot say. His name does not appear in any Subsidy Roll for the Hundred of Dacorum, and I am inclined to think that his connection arose through the Mores, if it existed at all before 1540.

Ellis Heywood, John's elder son, became a Fellow of All Souls in 1548, and Jasper, then thirteen years of age, is said to have been a page in the household of Princess Elizabeth (*D.N.B.*). I have shown that in 1545, a year after his public humiliation, Heywood was again receiving his quarterly pension of 50s., and he appears to have continued to walk warily through Edward's reign and until his sons were independent. Edward succeeded to the throne on 28th January, 1546-7, and died 7th July, 1553.

In 1552 Heywood was assisting Ferrers and Baldwin in the Court plays, and his pension was increased. In Sir Anthony Cooke and his daughter Mildred, Cecil's wife, he had friends at Court, and it is more than likely that his personality and wit attracted the boy-king. In any case, he probably knew better than many how to amuse him. But it is pathetic to observe the desperate energy with which Northumberland sought to revive the spirits of the young king during his last year. The Loseley MSS. (ed. Feuillerat, 1914) display the short reign closing in a round of plays, pageants and buffoonery. There is a pageant of the Greek Worthies, another of "Medioxes being half death, half man", another of Bagpipes, another of Cats, another of Tumblers, "a play of the State of Ireland, and another of Children set out by Mr. Heywood," and "divers other plays and pastymes".

The introduction to Wm. Baldwin's interesting allegory, "Beware the Cat", gives a valuable and striking picture of the "devisers" of these entertainments, and the allegory, with its admirable story of the raid of the Irish kern, Patriok Apore, upon Cayer Mackart and how Graymalkin caused his death, points to Baldwin as the maker of

the Pageant of Cats as well as the play on Ireland, mentioned above.¹

In Mary's reign Heywood was in great favour and prosperity. He added to his proverbs and epigrams, and, after an interval of twenty years, he took up again his old allegory of the *Spider and the Flie* and turned it into a complimentary poem to the Queen (see also pp. 34 and 54). His friends, Wm. Rastell, Dr. Clement and Anthony Bonvyse, returned from exile, Rastell to become a judge and Clement to resume his practice; his son Ellis was attached to the service of Cardinal Pole, and Jasper became a Probationer-Fellow of Merton.

In the last year of Mary's reign (1558) Jasper Heywood was Lord of Misrule at Lincoln's Inn, and he had probably already finished the translation of *Troas*, the first of his three Senecan tragedies. It was published in 1559 by Tottel, who appears from the introduction to *Thyestes* to have annoyed the translator by his indifference to the corrections made in the proofs. *Thyestes*, the second of Jasper Heywood's translations, was published in 1560 from "the hous late Thomas Berthelettes".² In 1561 his third and last translation, *Hercules Furens*, appeared.

Before leaving this subject, further allusion must be made to the Introduction to *Thyestes*. It is dedicated to Sir John Mason, a benefactor of All Souls, a Privy Councillor, a friend of Cecil's (P.C. Wills, 2, Stonard, 1566), and presumably also of the Heywoods (see also p. 35). It shows Jasper Heywood as the associate and admirer of North,

¹ Baldwin, like John Rastell, was a printer and author. His most remarkable work appears to have been the play *Love and Live*, with sixty-two characters, that he offered to the Master of the Revels in Mary's reign. Just as Rastell's device represented the *Four Elements*, Baldwin used the phrase "Love and Live" in his rude printer's device, apparently with reference to his play. He is better known as editor of the *Mirror for Magistrates*. See Miss E. I. Feasey's article in the *Library*, Dec. 1922, and *Mod. Lang. Rev.*, 1925.

² Berthelet, who died in 1555, was succeeded by his son-in-law, Thomas Powell, who in the following year published the *Spider and the Flie*, and in 1562 *John Heywoodes Workes*. This accounts for the occurrence in *Thyestes* of the woodcut of Meleagere used several times in the *Spider and the Flie*.



JOHN HRYWOOD
FROM THE MUSEUM COPY OF 'THE SPIDER AND THE FLY'

Dyall, Sackville, Norton and Yelverton, and he especially speaks of

Baldwyn's worthy fame
Whose "Mirror" doth of Magistrates
Proclaim eternal fame.

He protests to the shade of Seneca, which had visited him as he slumbered over his book on a dull November day, that any of these "Minerva's men" would, in their "stately style", render Seneca in English much more adequately than he :

In Lyncoln's Inne and Temples twayne
Grayes Inne and other mo,
Thou shalt them finde, whose painful pen
Thy verse shall flourish so,
That Melpomen thou wouldst well weene
had taught them for to wright
And all their works with stately style
and goodly grace endight.

This long introduction is artificial, but there breathes in it a buoyant academic spirit. Truly the Tudor world was strangely unstratified. There seems, in terms of modern thought, to be a gulf between this nephew, who can write from experience the lines :

No princes perfume like to it
In chamber of estate.

and the uncle, William of Harvard Stock, then living, who left to his widow his kine "to give or discharge the heriots".

The Elizabethan "Settlement of Religion" drove into exile John Heywood, Wm. Rastell, Dr. Clement, and their wives. Elizabeth had made Parker Primate in 1559 to restore order in discipline and worship. Rome retaliated by prohibiting Catholics from being present at the "new worship". In 1563 the Articles of Religion were constituted a standard of belief of the Church of England, and in 1564 a Commission was appointed to enforce the Act of Uniformity.

Heywood left England on 20th July, 1564 (Sp. Commission, Kent, 14 Eliz., No. 1095), after entrusting his rents and properties to the care of his son-in-law, John Donne, and his widowed daughter, Elizabeth Marvin.

A letter to Cecil from Gresham on 3rd October, 1563, seems to show that Dr. Clement and Justice Rastell, who had left England earlier, became involved in a financial disaster. "One Tybbold Prewen has become bankrupt within fifteen days for £100,000, who owes Dr. Clement £2,000, Mr. Rastell, sometime sergeant, £500, and others at Louvain £500; he asks 4 years to pay 10/- in the pound."

In 1569 a Catholic plot under the Percies and Nevilles, which had been hatched in the Low Countries, failed, but the added indignity of the excommunication of the Queen in 1570 led to the "proclamation" of all refugees and a summons to return. Commissions were appointed to inquire into the property of those who had fled, and the depositions and findings of four separate Commissions exist in Heywood's case :

- | | |
|---------------------------------|-----------------|
| 1. An open Kent Commission, | 14 Eliz. (1572) |
| 2. A Special Commission, Herts, | 16 Eliz. (1574) |
| 3. A Special Commission, Herts, | 19 Eliz. (1577) |
| 4. A Special Commission, Herts, | 41 Eliz. (1599) |

Heywood is described in the Commissions as "John Heywood, gentleman, recently of Hinxhill, in the county of Kent".

The findings of the Herts Commissions may be summarized as follows :

1. That John Heywood and his son Ellis, English subjects, on the 20th July, 1564, contemptuously departed and fled, without licence, into parts across the sea in Flanders and Brabant, under the obedience of Philip of Spain, and that, in spite of a proclamation calling upon them to return, they had refused to do so.

2. That John Heywood owned a tenement of 40 acres called Butlers, held by "customary tenure" of the Lord of

the Manor of North Mymmes, and a second tenement called Iveries, which he leased of the same Lord of the Manor, John Coningsby, on 2nd November, 1540.

3. That Ellis Heywood also had a property in North Mymmes called Hawkeshall which he had of the gift of Mr. Rastell (see Rastell's Will, *Englische Studien*, vol. 38).

4. That the rents of these tenements had been collected for John and Ellis by John Donne, ironmonger, up to Lady Day, 1571 (the year of the "proclamation"), and after that by Elizabeth Marvin, widow, daughter of John Heywood.

5. That Joan, wife of John Heywood, died before the holding of the inquest in 1574.

The 1599 Commission's report, now almost illegible, seems to be a *post-mortem* inquisition into Jasper Heywood's interest in these same properties. The leases of Butlers and Iveries had been held "for the lives of John and Ellis his son and for 70 years after".

The Kent Commission of 1572 describes lands of over 200 acres in the Romney Marsh granted by patent Jan. 1 and 2, P. & M. These lands lay in the parishes of Blackmanstoné, Marychurch and Newchurch, and were within easy riding distance of Heywood's place at Hinxhill, near Ashford (see pp. 36 and 51).

I have not found any reference to the Yorkshire estates, or the doubtful Heydon Manor; the lease of the Bropkhall estate terminated in 1561. The Commissions leave us, however, with an impression of Heywood's prosperity, and enable us to appreciate the sacrifice John and Joan Heywood made when they sought exile in their old age for the faith in which More had died.

It may be noticed in passing that Heywood's friend, Sebastian Westcott, was also in trouble, and was actually excommunicated; but on 8th November, 1563, he entered into a bond for £100 to "frame his conscience according to the Articles of Religion and Injunctions". He made a stubborn resistance, fighting under the shield of his patron,

the Earl of Leicester, but Grindal won the day, probably because of Sebastian's position as master of the choristers, for "there is committed unto him the Education of the Choristers or singing children" (Strype's *Grindal*, 1563).

Heywood's friend, the chaplain of Mary, Wm. Forrest, who shared his interest in music not less than in literature, appears to have escaped, probably as a private chaplain, but there seems to have been in his composition more of the reed than the oak.

The rest of the story of Heywood's life may be found in Professor Bang's article (*Englische Studien*, 1907). Here we learn that Ellis became a Jesuit after Wm. Rastell's death in 1565, that he came to Antwerp in 1573 from England "to treat of affairs", and that his remarkable knowledge of languages led to his remaining in the college. It will be remembered that in 1556 he had written in Italian and published in Florence his *Il Moro*, which he dedicated to Pole.

His father, now a widower, was living in 1573 at Malines, where Ellis used regularly to visit him, but, as that interfered with his duties, the General of the Order gave quarters in 1576 within the college to "old Heywood", "*ce digne vieillard votre vénère père, avec logement et table séparés*". Heywood's letter to Burleigh, asking that his daughter should be allowed to collect and send his rents, was dated from Malines, 18th April, 1575 (see p. 35), and it is gratifying to learn from a second letter in September that his spirited appeal was met sympathetically (see p. 237).

In 1578 troubles broke out at Antwerp, and the Jesuits sent the old man (*vieillard octogenaire*) to Cologne under the care of one of their order, but they found, on their arrival at the gates, that their enemies had secured that he should be refused admission. The College at Antwerp was sacked, and John, Ellis, and all the fathers were sent by water to Malines as prisoners. Here they narrowly escaped assassination at the hands of the Orange party, through the intervention of the Catholic Governor, the Archduke Matthias,

and they reached the Catholic stronghold of Louvain on 26th May, 1578.

Wm. Rastell had died in 1565, Dr. Clement and his wife were dead in 1572, Johanna Heywood was dead in 1574, Ellis, the most devoted of sons, died on 2nd October, 1578 (*D.N.B.*), and the old man "with the mad merry wit", that had "made many mad plays", seems to have out-lived them all.

Pitseus has preserved his last jest :

De quo inter alia memorabilia illud traditur, quod lethali morbo laborans, cum sua peccata praeterita multum deploraret, et bonus quidam Sacerdos qui consolandi causa illi adfuit, illud solum responderet et identidem repeteret, carnem esse fragilem ; retulit ille, ne tu Deum arguere videris, quod me non fecerit piscem.

(Perhaps only a man who had suffered for his faith would in his last hour have chaffed a confessor who could only talk of the frailty of the flesh for seeming to reproach the Deity for not making his penitent a fish.)

CHAPTER III
THE PRINTER OF HEYWOOD'S PLAYS:
WILLIAM RASTELL

THERE are many good reasons for devoting a chapter to William Rastell in any study of the More circle. At an early age he became a distinguished printer, and when on giving up his press in 1534 he took up seriously the study of law, it was to rise steadily first to the highest office in Lincoln's Inn and ultimately to the Bench. His attachment to More was very close, and one regrets that he did not preface the great volume of More's English works which he saved and edited, with the lost *Life of More* that he is said by Pitseus to have written. It will be seen in this chapter that he was not less intimate with Heywood; while as the printer of his plays he has a particular claim to notice in a study that has for one of its main ends the investigation of the group of plays that he and his father printed.

John Rastell and Elizabeth More, his wife, had three children—John, Joan, and William. Their names occur in this order in Rastell's will, and there are other reasons for assuming that this is the order of their seniority. John inherited his father's restless, adventurous, and we may add litigious disposition. Already before his voyage to Labrador in 1536 he had appeared in more than one Chancery suit in that rôle of "humble orator" in which his father had defeated many a defence. Joan Rastell, as we have seen, became in or about 1522 the wife of John Heywood.

William Rastell was born in 1508, probably in Coventry,

at the close of the reign of Henry VII. His brother-in-law, John Heywood, was eleven years his senior, but Richard Heywood (b. 1509), and More's four children, Margaret, Cicely, Elisabeth and John, born between 1506 and 1510, were all within two years of his age. As the Rastells left Coventry for London while William was an infant, we may assume that he came under More's influence at an early age. During his boyhood the two families lived not far apart in the City, and at their country houses at Monken Hadley and North Mymms they were within easy reach of one another. When More moved to Chelsea in 1524 John Rastell also moved out to a suburban residence. The one built himself a river-side house, the other leased an acre and three-quarters of land on the north of Finsbury Fields, and there built himself a house and a stage for plays. William Rastell was then sixteen, and his work in the world was beginning.

An unexpected evidence of this recently came to my notice. I was trying to fix the date of More's *Life of Pico della Mirandula*. Neither Rastell's nor de Worde's edition is dated, nor is the date given in the title of this piece in the English works—an unusual omission—but in the table of the contents it appears as "about the year of Our Lord 1510", which I thought to be some five years too late. More dedicated as a New Year's gift the *Life of Pico* to "my entirely beloved sister in Christ Joyeuce Leigh", and Joyeuce I found from her mother's will (1507) was a nun of the order of the Minoresses of Aldgate, in the seclusion of whose precincts her widowed mother died. Now we are told by Cresacre More that "*when More determined to marry* he proposed to himself for a pattern in life a singular layman, John Picus, Earl of Mirandula . . . (whose) life he translated and set out". I suggest, therefore, that his New Year's gift was sent to Sister Joyeuce Leigh at the beginning of the year 1505, shortly before his marriage to Jane Colt. It was in the course of some searches at Somerset House into the history of the Leighs that I came across

William Rastell. Joyce's eldest brother was bound by the terms of his father's will to secure that the family property in Kent did not fall under the Kentish custom of gavelkind, but should pass by entail to the eldest son or heir in regular succession. John Rastell was apparently called in to draw up the will of Joyce's brother, which closes with a list of witnesses headed "teste me Joanne Rastell sen . . . manu propria . . . et me Willmo Rastell scriptore huius testamenti manu propria". On 1st April, 1525, therefore, William Rastell at the age of seventeen wrote a fair hand and was working under his father in legal practice; but it was a curious coincidence that one should meet the future editor of the English works of More in this way. Two years later, in 1527, when the ambassadors of France were entertained by Henry VIII and Wolsey, and John Rastell was engaged to devise the elaborate pageant at Greenwich, described in the State Papers as *The Father of Heaven*, William was again collaborating with his versatile parent. In Guildford's elaborate record of expenses, besides the charges of Hans Holbein and others, we have seen that Rastell's account was set out in great detail, and from it we learn that William was employed in the preparation of the show for forty-six days at a fee of eightpence a day.¹

Antony Wood says that William Rastell went into residence at Oxford in 1525 and carried away a considerable foundation in logic and philosophy, but no degree. If this be true, we may excuse him the degree, seeing that he was writing a will for his father on 1st April, 1525, and working at a pageant for two months in the early summer of 1527. Meanwhile at Chelsea his cousin, Margaret Roper, had translated Erasmus's *Treatise on the Paternoster* and had it printed, and More had the pretty experience of finding Margaret's printer, Berthelet, accused of publishing a book savouring of heresy.

In 1527 and 1528 it is evident that William Rastell was

¹ See p. 18.

making his presence felt in his father's printing business. So far as the extant copies of John Rastell's law books enable us to form an opinion, his activity as a printer seems to fall into two periods. There is his own magnificent burst of industry between 1513 and 1518, and there is the less heroic but more attractive output of the years 1527-9 when he had the assistance of his son, then approaching his twenty-first year.

Mr. Proctor's Hand List of John Rastell's books makes the division clear, if we assign, as on good evidence we may, many of the undated books to the later period. I do not, of course, suggest that the books of the years 1527-9 were rather his son's than his own. They bear, as a rule, his well-known device, they are printed from his types, and they show the old man himself to have been keenly active about them. What I do suggest is that John Rastell had an excellent collaborator in his apprentice in law, pageantry, and printing.

Berthelet's trouble with the Vicar-General over the printing of Margaret Roper's little book on *The Lord's Prayer* belongs to a chapter in the history of the regulation of the printing press with which I deal in another section.¹ Wolsey, whose long reign was drawing to a close, had fought Lutheranism and heresy with the old weapons of the ecclesiastical courts and had not succeeded. These weapons had been adequate in the mediaeval days of manuscript books, but they failed in the new days of printing. Tunstall determined to try other ways of stemming the flow of heresy, and he called More to his assistance, granting him a special licence to read heretical books and pamphlets with a view to controverting their errors. More's first controversial work, *The Dialogue of Heresies*, was written in the year 1528 and at once put into John Rastell's hands, who published it in June 1529, by which time William Rastell was of age and about to set up his own press. More was exacting in his demands on his printer, and the *Dialogue*,

¹ See p. 160.

in spite of the obvious care with which it was set up, has a lengthy list of "fawtes escaped in the printing". This scrupulousness on More's part is easy to understand, seeing that his work was controversial, and mistakes were an occasion for the enemy. More would welcome the independence of a careful young printer, and he set his nephew to work before September 1529 on what was probably the first book that came from his press, the *Supplication of Souls*. For this, William Rastell used a new fount of beautiful secretary type, and except for some large black-letter types used in his title he carried over none of his father's material. John Rastell had two important works of his own in the press, while William was busy on More's *Supplication*, the *Pastyme of People* and a *New Book of Purgatory*. The latter, like More's book, a reply to Simon Fish's attack on the doctrine of Purgatory, appeared 10th October, 1530. The *Pastyme of People*, which was nearing completion in 1529 and appeared soon afterwards, is connected in an interesting way with William Rastell's second book, Caesar's *Commentaries*, a text and translation, with interpolated notes of much interest, of those portions of the Fourth and Fifth Books that deal with Caesar's invasions of Britain. In the introduction to the *Pastyme* the older Rastell speaks scornfully of the legendary account given by Geoffrey of Monmouth of the dawn of British history, and makes the following statement:

But Ye oldest writyng yt we rede of any auctor is ye boke of ye comentarys of Julius Cesar which indytyd yt work him selfe at ye tyme when he cōqueryd this land and made it subject to the romayns which was xlviii years before the byrth of Cryst. In the which he took grete dylygēce to dyscrybe the realme in so mych yt he shewyth playnly & truly furst ye form & facion of the lād & ye quantyte thereof how many myle it cōteyneth every way, how ye graate ryvers ren & also he dyscryvyth ye maner & ye use of the people how be it he spekyth nothīg of Brute nor for al the serch that he made he could never come to the knowledge how this lād was furst inhabytyd.

We are not surprised, then, to find that William Rastell's second book has the following title :

Julius Cesars Commentaryes / Newly translatyd owte of latin in to Englysh / as cōcernyth thys realm of England / sumtyme callyd Brytayne ; whych / is the eldyst hystoryer of all / other that can be found / that ever wrote of / this realm of England / 1530.

This again is an attractive piece of printing. The Latin text is in a neat small roman type, and the translation in the pretty secretary used in the *Supplication of Souls*.

With the Caesar I associate two other undated books of William Rastell's, his translation of Cicero's *De Amicitia*, a book for which I have a particular affection as it rests, handsomely bound, at the British Museum in the same volume as the Caxton Ciceros and the English version of the pretty fiction of *Fulgens and Lucrece* by Bonaccorso of Pistoja which Henry Medwall had turned into an Interlude ; the other book is his edition of Medwall's *Nature*. Of the *De Amicitia* it may be said that its careful workmanship and good paper make it worthy of a place in a volume of Caxton's, whilst its secretary type is quite in keeping with Caxton's bolder work and even shows something of the same form and inspiration.* Of Medwall's *Nature* this must be said, that it is entirely fitting that it should owe its preservation to the printer-nephew of More who forty years earlier had known Medwall as a chaplain in Cardinal Morton's household.

In 1531 we find from the colophon to his *Register of the Writs* that William Rastell had quarters in Fleet Street, but he appears at no time to have adopted a sign or to have used a device. Instead of a device we find in his bigger books, after 1530, a dignified title-page with a large arched compartment on columns at the base of which are the initials W.R. It is noteworthy that the law book I have just mentioned was to be bought in St. Paul's Churchyard, presumably at his father's shop, at his own house, and at Robert Redman's at Temple Bar. It is interesting to find that Redman

was on these terms with the Rastells, because about this time his name appears on some law books for which John Rastell held the royal privilege. At one time I was inclined to think of him as an intruder—Pynson certainly treated him as one—but perhaps his retort to Pynson, “*Si Deus nobiscum, quis contra nos*”, was justified.

More's first attack upon heretics, the *Dialogue of Heresies*, had, as we have seen, been printed by John Rastell. In 1531 William printed a handsome second edition in secretary, but for the long and laboursome *Confutation of Tyndale's Answer* he employed a new fount of black letter in which Part I appeared during 1532.

More's Chancellorship was of short duration. He took over the great seal in September 1529 and resigned it on 16th May, 1532, and it was during this period, as we have seen, that William Rastell came of age and showed himself to be a printer worthy of his distinguished uncle whose works he was printing. More wrote of his resignation to Erasmus, emphasizing the gracious protestations of the king in acceding to his retirement, and adding a humorous note of satisfaction that even his adversaries had failed so far to come forth complaining of his injustice. Ill-health had something to do with his decision, but we know, and his adversaries knew, the cause to be deeper seated than that. It was one thing to controvert the heretics whose heresy he heartily hated; it was another* to serve in high office a king who was affronting his defence of orthodoxy in act and deed. More's decision was of a piece with his character. Though all for a time went well, he was under no delusion as to his position, and it is of great interest here carefully to observe the dates and sequence of events. He resigned in May 1532; in September William Rastell was specially admitted at Lincoln's Inn, More's own Inn, and on the following New Year's Day More's friend Heywood gave to the King a New Year's gift and received one from the King himself. So far the skies had not fallen.² The atmo-

* See p. 44: “To Heywood . . . item a gilte cup”.

sphere at Court was evidently not unfavourable to More at the beginning of 1533, and there is evidence that during the following twelve months More was fairly free from anxiety, and that both he and William Rastell were hard at work; indeed, the year 1533 was much the most productive year in Rastell's career as a printer. He continued to work at his uncle's *Confutation of Tyndale's Answer*; he printed his *Apology*, his *Letter against John Frith*, his *Debellation of Salem and Bizance*, and his *Answer to (Tyndale's) Poysoned Book*. This last book Rastell finished just before Christmas 1533, but dated 1534, and this seemingly slight inaccuracy was seized upon by adversaries to support an allegation that the book was an attack upon the new *Book of the Articles devised by the King's Council*. More disclaimed this and explained what had occurred. William Rastell had anticipated the New Year by a few days, treating it as beginning on 1st January.

Besides his printing for More, Rastell printed in 1533 Fabyan's *Chronicles* in full. This he may have done by arrangement with the Fabyans, whose arms occupy the full-page verso of the title-leaf. Robert Fabyan was, of course, dead, but there was a John Fabyan, a physician of wealth and literary tastes, living in the parish of St. Clement Danes at this time, who left his English books on medicine and his English *Chronicles* to Lady Marny in 1541. Whether or not it was he who suggested the new edition, it is obvious that John Rastell's very original adaptation of Fabyan, the *Pastyme of People*, had not taken its place. William Rastell's second edition perhaps made amends for his father's rather bold and free abbreviation of the Pynson Fabyan.

Another interesting work of this crowded year, 1533, deserves mention: young John More's translation of the report by the Portuguese, Damyan Goes, to his friend the Archbishop of Upsala, of the church and commonwealth of Prester John. It is an important little book with an innocently pleasant preface by John More to the reader, the

work itself being a literal translation from the Latin of Goes as published by Grapheus of Antwerp in 1532, a copy of which is in the British Museum. In this we learn of the entirely orthodox ecclesiastical constitution of the Abyssinians and of their well-ordered Court and civil life. Young More—he was then twenty-one—emphasizes in his preface the triumphant evidence of the errors of the “busy brethren”, the English heretics, afforded by this account of the church of Prester John. The Portuguese, anxious to secure the approval of the Pope for their Oriental projects, laid stress upon Prester John’s orthodoxy, and took care that it should be without blemish. Into that, however, we need not go. What is of importance is the question whether John More’s preface does not suggest that he imagined his little book to have something of the interest of his father’s *Utopia*. There are the conversations in Antwerp, the “Portyngal” Dandrada, a sort of Hythloday, who has been to Abyssinia, his account of a fully developed social and religious system new to the West, and the application of all this as a criticism of the social and religious life of the England of the day. What makes this idea more fascinating is that this report of the Church and State of Prester John was first published by the Portuguese to the West in 1513 on the arrival of an embassy from Prester John shortly before More wrote his *Utopia*. It was the visit of a second and similar embassy in 1531 that excited young John More’s interest. If we may adapt, however, Euclid’s figure of proportion, More’s *Utopia* is in literary magnitude to his son’s Prester John as was the father to the son. History has a rumour that John More was not very robust.

In addition to his printing for the Mores and the Fabyans, William Rastell found time in this, his busy twenty-fifth year, for an important piece of law printing. His *Natura Brevium* offered to his fellow-students, the gentlemen students of the law, in a minute type the twelve principal textbooks of instruction in legal practice. To these were added a

carefully compiled index and an address to the aforesaid gentlemen students by William Rastell, himself one of them. The whole book is no larger than an ordinary prayer-book, but the type is that distressingly small nonpareil that makes some prayer-books impossible. "Thus have you," says the young editor, "these XII small books (but conteynynge very great lernynge) compacte in one volume, ryght studiously corrected."

This busy year is the one which followed More's resignation of the Chancellorship, and it was not until the end of the year that More's troubles began to close on him, and these troubles began with a question of dating.

William Rastell was called before Cromwell in January 1534 (N.S.) to give an account of the date of More's *Answer to a Poysoned Book*. I believe that Rastell rather perversely dated the New Year from Christmas or 1st January, because it had a bearing on the important question whether the Papal Brief conveying the dispensation for the marriage of Henry VIII to Katherine was a forgery or not. Since the Papal Briefs dated the New Year from the Feast of the Incarnation, i.e. Christmas Day, the friends of Katherine claimed that the dispensation was good. My only excuse for raising this problem is that it has a bearing on the dating of the four well-known plays printed by Rastell during this year 1533. Two of the plays are in secretary type, and they are companion volumes. They are dated 12th February, 1533 (*Johan Johan*), which means, on my supposition, 1533 and not New Style 1534, and 5th April, 1533 (*Pardonere and Frere*). I therefore place *Johan* and the *Pardonere* within a month of one another, and not, as they are usually supposed, thirteen months apart. As the play of *Wether* and the play of *Love* are also companion volumes, the two being alike in form and both printed in black letter, I would place them both near Christmas, 1533.^{*} That is, I place the two anonymous plays, in secretary type and similar make-up, at the beginning of the year and the two

^{*} *Love* is dated 1534, *Wether* 1533.

black-letter Heywood plays at the end of the same year. If it should be asked what a protégé of More's was doing to print plays in the beginning of 1533 which make such free sport of curates, priests, pardoners and friars, I would reply that More himself has a pretty answer to the objection in a passage addressed to Tyndale in this same year. Tyndale had tried to score a point by suggesting that More's "derling", Erasmus, in a book written in More's house, *The Praise of Folly*, had written more than freely of saints and relics and images. "That Boke of Moriae," says More, "dothe indeede but iest uppon the abuses of such thinges after the manner of the disours part in a playe."

William Rastell's printing ceased when More's troubles began. He had printed his books from a house without a sign in St. Bride's Churchyard, Fleet Street, and I had expected to find his name in the Subsidy Roll for St. Bride's parish in 1534. What I found there, however, was that John Heywood had a large house in St. Bride's parish with the high assessment of £40, but that William Rastell's name did not occur. It is not unlikely that he had quarters in Heywood's premises, and that the two were under the same roof when the four plays were printed.

The irritating charge against William Rastell and More in the matter of the New Year's dating of 1534 was followed up in February by the charge against More of holding communication with the nun of Kent, and when he had at length cleared himself of that, there followed the charge to take the Oath of Supremacy. On 17th April, 1534, More went to the Tower, and William Rastell, dropping the now dangerous craft of printing, devoted himself to the study of law. He was joined at Lincoln's Inn on 25th July, 1534, by John Heywood's brother Richard, who was present a year later as a law-clerk at More's trial and is mentioned by Roper as one of his authorities for the account he gives of the proceedings. William Roper and Richard Heywood were close friends and lifelong associates. They became legal partners in the office of Prothonotary of the King's

Bench and shared quarters in Lincoln's Inn. In this year, 1534, of More's imprisonment, and Richard Heywood's admission to Lincoln's Inn, John Heywood was playing the game by cheering the seventeen-year-old daughter of the superseded Queen Katherine.¹

On the other hand, old John Rastell, as we have seen, had been won over to the side of the Protestants by the young scholar of Christ Church, the martyr John Frith, a charming, witty, and lovable enthusiast. In re-reading one of Rastell's law-suits I came across an unrecorded fragment of a lost book by Rastell on the dorso of a sheet of depositions. It is all that remains of Rastell's second reply to Frith. It is headed *The cause why that Rastell made his boke of purgatory without aleggyng any textes of holy scripture*, and it opens with the phrase: *I marvell gretely that my broder Fryth does hold this*. . . . Frith's reply is still extant, but this fragment is all that exists of Rastell's treatise.² (See Appendix VI.)

The story of his estrangement from the More circle and his unfortunate end has been told. More does not mention him in any of the letters and treatises that he wrote in his confinement. "A good man and a very properly lerned man," one of his friends called him, but his ill-balanced enthusiasm and perversity were at length laughed at, and he died in prison neglected, caught in the web of the spider, if he is the Fly and Cranmer the Spider of John Heywood's *Spider and the Flie*.³ Rastell's alienation from his own people is marked by the completion in July 1534 of the conveyance of the family property in Warwickshire to the Wygstons of Leicester.

The imprisonment of More began on Friday, 17th April, 1534, and he remained in a confinement that grew closer as time passed. He was executed on Tuesday, 6th July, 1535, fifteen months later. It is probably to the piety of his

¹ See p. 54.

² The depositions and the fragment belong to the law-suit on Theatrical Costumes published by Mr. A. W. Pollard and Mr. H. R. Plomer in *An English Garner* (R.O. Court of Requests, Bundle 8, No. 14). See also p. 220 ff.

³ See pp. 34 and 209-10.

daughter, Margaret Roper, that we owe in the first instance the preservation of the writings and letters that belong to this period. Cresacre More tells us that she was imprisoned after her father's death and "was threatened very sore because . . . she meant to set her father's works in print". Of these last works of More it is not easy to speak as one feels. Their cheerful courage, strong conviction and genuine simplicity are as impressive as their freshness and ready wit. "Farewell my deare childe," he wrote to Margaret on the day before he died, "and pray for me and I shall for you and all your friends that we may merely (merrily) meet in heaven." Seriousness in More was not sadness. He would have loved George Herbert for his wit not less than for his saintly life. It is doubtful if, when More's English works find a second editor, the controversial works will please many readers, but they are too full of good things to remain out of our reach. The works of the imprisonment, however, are not controversial, and they are a great achievement. In one of the Holbein groups of the More family is shown a Boethius, a favourite book with the household. More's *Comfort against Tribulation* is his own *Consolations of Philosophy*. I sometimes wonder why it is not better known in English homes. It is a cheerful book, not without the interest of playful reminiscence. More's heaven is a place of laughter and mirth. They that sow in tears "shall have in heaven a merye laughing harvest for ever". *Comfort against Tribulation* was, as we shall see, the only work written in prison to be printed before the great volume of the English works appeared, but it had to wait for the accession of Mary.

A year after John Rastell's death in prison, in 1536, his widow, More's sister Elizabeth, died. She appears to have found an asylum in John Heywood's house with her daughter Joan, to whom she left "her ring of gold with the great red stone" and all her personal belongings. Her son William was her executor. More's other sister, Joan Staverton, who lived in widowhood from 1538 to 1542, appointed John

Heywood her executor and left her best bed to William Rastell, who two years later married Winifred, the young daughter of Dr. John Clement. It is not without significance that More's widowed sisters placed their last trust in the keeping of John Heywood and William Rastell.^{*}

More had married his children prudently. The Ropers, Herons, Danceys, Allingtons and Cresacres were all wealthy, and More did not involve anyone but himself in his own deliberate act of conscience. Yet he appears from one of his last letters to his old friend, Antony Bonvyse, the wealthy Italian financier of Crosby Hall, to be expressing gratitude for something more than their old intimacy and Bonvyse's many generousities. It would seem as if the old Italian had set More's mind at rest as to the security of his disciples, if not in England, then abroad.

William Rastell was called to the Bar in the Trinity Term of 1539, and he prospered. He was now thirty-one. He had already at the age of twenty-six closed his career as a printer, and in that craft he had done really distinguished work. He had also already edited by that time an important law book for the gentlemen students of the law, and had prefaced it with a dignified and business-like preface. His work had marked him out as a young man of character, great industry, cultivated tastes and unusual ability. He had an orderly mind, the inflexible will of all the Mores, and their singular loyalty in friendship. And now he prospered. As evidence of this we have the records of his purchases of land in 1542, when for £80 he acquired property of over 100 acres in North Mymms, in Hertfordshire, and for £200 messuages and land at Tottenham, the latter interestingly enough from John Heywood and his son-in-law, Christopher Stubbes. Heywood himself too had prospered, as this property indicates, and it was probably Heywood's purchase in 1540 of land in North Mymms that led William Rastell to buy an estate

* It should be noted that William Rastell's elder brother John had probably not returned from the Labrador voyage at the time of his mother's death.

there. Two years later William Rastell married Winifred Clement, the daughter of More's most brilliant disciple,¹ and it was probably William Rastell's new preoccupation in life that kept him out of the trouble that John Heywood, William Roper, John More, Bishop Gardiner's nephew and the parish priest of Chelsea, with others, fell into in 1543. The story of the plot against Cranmer has been told.² It was in the year 1544, and under the strain of these anxieties, that More's daughter, Margaret Roper, died and was buried at Canterbury in the Roper's church of St. Dunstan's. How closely the friends of More were concerned in these troubles is indicated by the fact that among those executed was More's parish priest, John Larke, Rector of Chelsea.

William Rastell appears not to have been involved in those things, partly, I think, because of his impending marriage, and partly because he was much absorbed as a young barrister in his new responsibilities. He was called to the Bar, as we have seen, in May 1539. In 1541 he is mentioned in the Black Books of Lincoln's Inn as having clerks under him, and his clerks are again mentioned in 1544, the year of Heywood's troubles, as paying 18d. a week for their commons, "so that they exercise the larnyngs both wt-in that house and wt-out". In 1545 he was promoted to the office of Pensioner of the Inn.

In 1546 he was Autumn Reader and became a Benchler. He was proceeding rapidly through the stages of promotion in the hierarchy of his Inn. In 1547 he was nominated to examine certain members who had failed in their duties as custodians of the Council Chamber and Library at the Sergeant's Feast, when some one "spoyled 3 the meate". He was, in fact, one of the busiest and most respected Benchers, and as such took a leading part in the festivities at Westminster at the coronation of "the most worthy and *indolent* Prynce and King", Edward VI. In 1548 he was Keeper of the Black Book, from which these facts are taken, and in 1549 he was elected, in the third year of the

¹ See Pitseus.

² See p. 63.

³ I.e. stole.

reign, Treasurer of the Inn. Then on 2nd February, 1549-50, occurs the startling entry, "Rastell the Treasurer fined £10 because he went to foreign parts without leave of the Governors". He had revolted against the Protestant rigours of Edward's advisers. An Inquisition held at the Guildhall on 27th February, 1550-1, a year later, states that he "deceitfully and rebelliously" took flight to Louvain on 21st December, 1549, with his wife and her parents, and that his goods and chattels were forfeit to the King. He is shown as the owner of a lease of a valuable messuage named Skales Inn in Whittington College and seven other messuages in the City. His household goods, including seventy yards of hangings, were assessed at a high value, and this Middlesex Inquisition took no cognizance of his Hertfordshire property. Rastell had been preceded in his flight by Antony Bonvyse. For the first three years of Edward's reign London Catholics had been protected by Bishop Bonner, and it was his deposition that led Bonvyse, the Rastells and the Clements to seek a foreign sanctuary. Bonner was accused of allowing Masses to be said in private houses, and generally of failing to carry out the repressive measures of the Reformers.¹

William Rastell was an exile for three and a half years, and during that time he occupied himself in compiling and preparing for the press More's English works and the important law books that Tottell printed afterwards. In the preface to the most important of the law books, *The Collection of Entrees*, he writes: "This book, which (with such copies as I had, being out of England and lacking conference with learned men) to the furtherance of the practice of the law, I have finished the eight and twenty day of Marche, in the yeare of our Lord God a thousand five hundred three score and four". An equally important work, *The Collection of the Statutes*, probably also occupied him, and there is good reason for supposing that he translated his father's *Expositiones terminorum legum*. But a

¹ See *John Clement and his Books* by A. W. R., *The Library*, March 1926.

cruel blow fell upon him before his exile was over. Four days after the death of Edward VI, and before Mary was proclaimed, his wife Winifred died of fever in Louvain and was buried in St. Peter's Church, aged twenty-six ;¹ and having laid his wife to rest, William Rastell returned to England with his co-exiles, her parents, John and Margaret Clement, and the Bonvyses. Winifred Rastell's epitaph may be read in Pitseus: "Latinae linguae non imperita, Graecam vero eximie callens, sed moribus et vitae sanctimonia nemini postponienda. Cui (pie lector) Deum quaeso, deprecare propitium". In November Richard Tottel printed More's *Comfort against Tribulation*.

We next hear of William Rastell from the Black Book of Lincoln's Inn. On Ascension Day, 1554; it was reported at a meeting of the Governors:

In this Easter time anno primo Mariae reginae Mr William Rastell one of the Benchers of this house of Lincoln's Inn gave towards the furnishing of the altar in the Chapel in the Howse, a greate image or picture in a table of the taking down of Cryste from the Cross and two curtains of green and yellow sarcenet for to hang at the ends of the same altar and also a cloth of green and yellow sarcenet lined with canvas to hang before the said altar: which things the said Mr Rastell gave to have the prayers hereunder written for the souls hereunder specified.² Wherfore at the request of the said Mr Rastell it is at this present council granted and agreed by the whole consent of all the Masters of the Bench of Lincoln's Inn present at this council that at all times hereafter every priest that shall serve in the Chapel shall in every of his Masses that he shall say at the said altar say at the beginning of the Mass before the Epistle and in the end of the Masse, a "collett" for the sowles of Winifred Rastell wyff to the said William and of all the parents kinfolk and friends; and also shall in every of the said Masses remember the same souls in the memento pro mortuis. Also the said Mr Rastell did then at his costs for his said wife's soul gild the "V knoppys" of the canope for the sacrament which cost him xxiis.

¹ Pitseus states that she died 17th July, 1553, and had been married nine years.

² Most unfortunately no names are given in the Black Book. I have been permitted to examine it at Lincoln's Inn.

Margin. Hic ordo propter stolidam abhominacionem et superstitionem abolitur ad Consilium tentum 16 Aug., anno regni Dominae Reginae Elizabethae 23^o (1581).

The next entry in the Black Book is the last. It is to record the presentation of the accounts of William Rastell (now) Serjeant-at-Law, the Treasurer, and it refers to the customary gift made by the Inn to the new Serjeants.

We have already referred to Cresacre More's statement that Margaret Roper had contemplated the publication of her father's works. After her death William Rastell had taken over this pious office and carried the works as far as he had then collected them to Louvain. Lest, he tells us in his preface to the English *Works*, they should in time perish, unless they were collected together and printed in one whole volume.

I did diligently collect and gather together as many of those, his works, books, letters and other writings printed and unprinted in the English tongue, as I could come by, and the same, certain years in the evil world passed, *keeping in my hands very surely and safely* now lately have caused to be imprinted in this one volume.

We have seen that he had the *Comfort against Tribulation* printed by Tottel at once on his return in November 1553. His preface to the *Works* is dated 30th April, 1557, four years later, and addressed to Queen Mary. I will not speak at length on Rastell's editorial care, the value of the marginal notes, particularly of those explaining the intimate family references in the last letters, nor his attention to accuracy of sequence. William Rastell's work is a monument of loyal care. But I am so bold as to be thankful that at the last moment he added to the 1,428 pages that begin with the life of Mirandula fourteen pages of verse written by Mayster Thomas More in his youth for his pastime,¹ so that the great volume opens with "A mery

¹ There is no doubt that these fourteen pages were added. They are paged independently and belong to the introductory leaves.

jest how a *sergeant* would learne to playe the frere ". This argues a sense of fun in Mr. Sergeant Rastell.

Under Queen Mary, William Rastell more than recovered his material prosperity. On 25th October, 1558, he was raised to the Bench, and it is interesting to note that Jasper Heywood was appointed Lord of Misrule at Lincoln's Inn for the Christmas revels of the same year. Young Heywood had already probably finished his translation of the first of his three Senecan tragedies, the *Troas* which Tottel printed in 1559. I know of no better illustration of the rapid advance of Renaissance thought and feeling than the fact that John Heywood's *Spider and the Flie* and his son's *Troas* were only separated by three years. By walking warily in the troubled days of Edward VI, John Heywood had secured for his sons an uninterrupted and sound education, and Jasper succeeded Ellis as a Fellow of All Souls. Nothing in the story of the More circle is more strangely impressive than the manner in which the rings of loyalty widened in succeeding generations. That John Heywood and his old wife Joan, William Rastell and his wife's parents, Dr. John Clement and Margaret Giggs, should renounce their prosperity and again become exiles we can understand; they were More's *discipuli familiarissimi*. But before the parents fled from the Elizabethan rigour, Ellis and Jasper Heywood were in Rome. Jasper had become a Jesuit, and Ellis had written his *Il Moro*. In view of his family history one can appreciate the spiritual struggle that John Heywood's grandson passed through; I refer to John Donne, Dean of St. Paul's. The first years of Elizabeth's reign had passed before William Rastell and the Clements again fled—from Gravesend—to Louvain on 3rd January, 1562-3, John Heywood and his wife followed on 20th July, 1564, and none of them returned. The flight of a Justice of the Queen's Bench to the protection of a foreign sovereign, without licence, was a grave misdemeanour, and a special Commission (anno 4) sat at the Guildhall in October to take an inventory of his belongings, which became forfeit to

the Crown. The inquest assessed the value of the personal belongings left in his chambers at Sergeant's Inn where apparently he had lived. The findings began with a list of some forty odd books, of which half are law books. The rest include a Euclid, a Eusebius, a St. Augustine, an (Erasmus) New Testament in Latin and Greek, a Horace with commentary, a Psalter in Greek, Eliot's Dictionary, an *Aeneid* in French, a Greek Dictionary, a Cicero *de Oratore*, a French Testament, Gardiner's book against Bucer, Euripides in Latin and Greek, an *Illucidarius poeticus*, *Adrianus de modo Latinae loquendae*, a Bible in parchment, Lucian's *Dialogues* in Greek, and a Theodore Gasius. The prices named vary from 4s. for a book of Statutes from Henry III to Henry VIII, to 4d. for the *Olde Abridgment* of the Statutes. The MS. Bible on parchment was valued at 2s.; Eliot's Dictionary, the Euripides and the French Virgil were priced at 1s. each. The *Grand Abridgment*, which John Rastell priced new at 42s., was valued at 3s. 4d.

Like Chaucer's Sergeant of the Law, William Rastell had many robes. His gowns violet and scarlet, and cloaks faced with fur, sarcenet, velvet, sable or martin varied in value from £6 13s. 4d. to 30s. His gowns and caps are valued in all at over £30. Then there was the furniture, the beds, hangings, the maps, a bow and a sheaf of arrows (2s. 6d.), and a corselet with all parts (13s. 4d.), and finally a *bone wrapped in a canvas* (2d.). These things Rastell left behind him in his chambers in Sergeant's Inn, and they probably represent what he was content to leave rather than all he had to leave. As compared with the books, maps were highly priced, a French map and Italian map and a "universal" map were valued at 12s. Relative values may be assessed by the price (2s. 6d.) of a long seat described as a side form. This was probably a substantial oak form such as we might nowadays pick up for 30s. in the country. William Rastell did not long survive his second exile. He died of a fever on 27th August, 1565, and was buried beside his wife in St. Peter's Church at

Louvain. Men of law are not always punctilious in their attention to their wills, but nothing could exceed the care and skill with which William Rastell negotiated this difficult business. He filed an autograph duplicate copy with the registrar at Antwerp, and had it attested in his own presence on 8th August, 1564. Probate was granted to Dr. Clement and Ellis Heywood on 5th October, 1565. Ellis he made his heir, leaving him the rents, which he continued to draw while he lived, of William Rastell's lands and houses in North Mymms.

He had, however, purchased from the City of Antwerp a perpetual annuity of 780 florins which he left partly to Ellis Heywood, partly to Bartholomew More, provided that he did not cease to be an exile so long as England was Protestant, and partly to charitable uses. His gold locket with the portrait of More, all his printed books except law books, all his wearing apparel, he left to Ellis Heywood, and he left rings and jewels to all his relatives and friends, including his brother John who received a gold ring with astronomical figures that remind us of his father. I have told the story of the remaining years of Rastell's survivors in exile and how old John Heywood outlived them all to make upon his deathbed a last merry jest. And now, as I draw towards the close of my chapter, I would suggest that it is right to give to William Rastell's edition of the *English Works of Sir Thomas More* the place of honour among his many achievements. More's influence dominated and directed the life and fortunes of his nephews, Rastell and Heywood, and it has seemed to me worth while to gather together the story of their relationship, not only because it makes a coherent and inspiring tale, but also because it helps us to feel ourselves something of More's influence.

There is one small matter on which I would add a word. By the courtesy of the Library Committee and the Librarian of Lincoln's Inn, I was permitted to examine the books and manuscripts, bequeathed to the Inn by Sir Ranulph Cholmeley in 1563, the year before Rastell left England.

Four of these books had been the property of William Rastell, and in one of them is written the note :

Memorandum that I William Rastell the xvi day of March in the xxx year of kyng Henry the VIII have sold to Randall Cholmeley my fyve gret bokes of yeres wherof this is one for the some of xxxviiiis.viuid. which the same day he hath payd me.

Each of these volumes has his name in neat Greek characters, and many of the manuscript notes are of interest, as, for example, the reference to William Rastell's reading in 1548 on the Statute *Quia Emptores*. Together they form a most valuable collection of early printed Year Books, the work of Pynson, Robert Redman, Wyer and Berthelet.¹

¹ The colophons of Berthelet show high spirits. His *Year Book* of 14 Henry VII he hopes will tickle the most delicate palate, and concludes :

Scio per Jovem non omnino displiciturum hunc libellum.

It is a pretty piece of work in secretary dated 1529.

CHAPTER IV

THE BEGINNINGS OF THE ENGLISH SECULAR AND ROMANTIC DRAMA (I)

STUDENTS of the early Tudor drama are familiar with the fact that the most interesting and original plays printed during the reign of Henry VIII came from the presses of John and William Rastell. This bibliographical fact has much significance in the story of the origins of the Tudor drama, and the investigation of the circumstances that lie behind it opens the way to conclusions of some importance for the historians of literature.

An attempt has been made in recent years entirely to restate the problem of the early Tudor drama by Dr. C. W. Wallace, whose *Evolution of the English Drama* postulates, curiously, not evolution, but a "square break". Dr. Wallace finds in the literary musician, William Cornyshe, the great originator. He claims that Cornyshe is the author of *The Four PP.*, *The Pardonere and Frere* and *Johan Johan*, a trilogy of plays traditionally assigned to John Heywood. He claims further that Cornyshe was the only dramatist living who had "opportunity, impetus, or skill" to write in the new manner three other plays, *Gentleness and Nobility*, *The Four Elements*, and *Calisto and Meliboea*. If we add to this list of plays, assigned by Dr. Wallace to Cornyshe, Heywood's three unchallenged plays, Medwall's *Nature*, and his newly discovered *Fulgens and Lucrez*, we have all of the plays of which I shall have to speak; and it should be remarked that ten of the eleven were printed by the

Rastells, whilst it has been suggested by Professor A. W. Pollard as probable that there was a Rastell edition, now lost, of the eleventh, *The Four PP.*

Cornyshe, who is called by his protestant the octavian Shakespeare, was master of the boys of the Chapel Royal during the earlier years of the reign of Henry VIII. He is prominent in the Revels Accounts of the early years of the sixteenth century, but his place in history lies in the story, not of the popular drama, but of that extravagant medley of music, pageantry and dance, the Court masque. The attribution of six plays to a definite dramatist on the sole ground that he alone of all Englishmen then living was capable of writing them is not likely, I think, to secure a good foundation for a study of the evolution of the drama. "No other dramatist," Dr. Wallace says, "but the impossible Medwall was then writing."

It is "the impossible Medwall", however, who has now to be put in the place of honour at the head of the line of Tudor dramatists. In dismissing Medwall to make room for Cornyshe, Dr. Wallace was apparently misled by Payne Collier, whose very circumstantial and graphic illustration of Medwall's dullness he accepted without, it seems, examining the document at the Record Office in which it was said to be found. The anecdote which occurs in Collier's *History of Dramatic Poetry* (p. 69) gives an account, now widely circulated, of the failure of a lost play of Medwall, called, not without irony, *The Fyndyng of Troth.*

Quoting from a Chapter House Roll of Revels Accounts, Collier shows items for costumes for Venus, Beauty, a Fool, and ladies and gentlemen who took parts in the entertainments at Richmond in 1513. These entries, correctly transcribed by Collier, are to be found at the Record Office in a large bound volume, which bears on each leaf the punctures of roll stitching (Misc. Bks., Exch., T.R., 217). But according to Collier, there was "a singular paper folded up in the roll," giving an account of two interludes performed on this occasion, one by William Cornyshe entitled, *The*

Tryumpe of Love and Beauty, in which Venus and Beauty took part; the other, Medwall's *Fyndyng of Troth*. After a eulogistic description of Cornyshe's allegorical device, Collier quotes from the "singular paper" the following note on Medwall's play, concluding with a facsimile of Cornyshe's signature:

Inglyshe and the oothers of the Kynges players after played an Interluyt whiche was wryten by Mayster Medwall but yt was so long yt was not lyked: yt was the fyndyng of Troth who was carried away by ygnoraunce and yprocesy. The foolys part was the best, but the kyng departed befor the end to hys chambre.

There is no trace of this paper in the bound volume, nor is anything known of it at the Record Office, where the documents for this period have been recently subjected to a close scrutiny for the revision of the first volume of the *Letters and Papers of Henry VIII*. As it could not have any bearing on the business of receipts and payments of which the roll was a record, its insertion does not find a ready explanation. I would suggest, therefore, that it is wise to treat the story of the folded paper with suspicion.

It is, however, upon this story, with its implied contrast between Cornyshe of the new school and Medwall of the old, that Dr. Wallace has rested his thesis; and unhappily his only reference to the folded paper is under the phrase, "a well-known document".

The wrong done to Medwall has been righted by time. Readers of *The Times Literary Supplement* may recall the signed article by Dr. F. S. Boas on 20th February, 1919, on the Mostyn Plays then awaiting sale by auction at Sothebys. Henry Medwall's play of *Fulgens and Lucre*s had come to light. It was sold a month later to go to America for £3,400, a figure that does not exaggerate its importance.¹

¹ With great public spirit, Mr. Henry E. Huntington, its new owner, has published a photographic facsimile of the play with an introductory note by Mr. Seymour de Ricci.

Halliwell-Phillipps was right, after all, when he added to the fifth edition of his *Outlines* in 1885 the note :

The most ancient English drama which is known to exist was written about the year 1490 by the Rev. Henry Medwall, chaplain to Morton, Archbishop of Canterbury, and afterwards printed by Rastell.

The play is one of remarkable interest historically, how interesting may appear from the following account of the source of its plot and the nature of its structure.

A fragment of the play, two leaves in the Bagford collection at the British Museum, was reproduced in facsimile by Dr. R. B. McKerrow, in Bang's *Materialien zur Kunde des älteren Englischen Dramas*, vol. xii (Louvain, 1905), and later was printed with a foreword by Dr. W. W. Greg in the *Collections* of the Malone Society, 1908. In 1911 Professor Czeizenach announced in the *Shakespeare Jahrbuch* that the source of the plot was apparently to be found in the *De Vera Nobilitate* of Bonaccorso of Pistoja, which he had come across in a summarized form. Independent investigation has confirmed Czeizenach's note.

Bonaccorso was an Italian humanist, a learned lawyer, a Petrarchan enthusiast, and writer of Ciceronian Latin, as well as of vernacular poetry. He held magisterial office in Florence, enjoyed the patronage of Carlo Malatesta, Lord of Rimini, to whom he dedicated his *De Vera Nobilitate*, and died in 1429, in the same year as his patron.¹

The subject of Bonaccorso's *débat* will become clear as we proceed. But it may be explained that the story is a pseudo-realistic romance of Roman life written in the artificial style of a rhetorical exercise in Ciceronian Latin.

Medwall's immediate source was not, however, the Latin of the Italian humanist, but an English version printed by Caxton in 1481, translated by John Tiptoft, Earl of Worcester, from a French version, the work of Jean Mielot, secretary and translator to Philip of Burgundy, printed

¹ An admirable account of Bonaccorso is given by G. Zaccagnini in his *Studi di Letteratura Italiana*, vol. i, 1899.

by Colard Mansion of Bruges, Caxton's collaborator. This Caxton version of Bonaccorso's story of *Fulgens and Lucrece* I accidentally discovered while examining a Caxton Cicero in 1917 at the Museum. The discovery gave an added interest to the announcement of the sale of the lost play, *Fulgens and Lucrece*, and I availed myself of the sale-room privilege of turning over the pages of the little quarto.

The Caxton version of *De Vera Nobilitate* occurs in a volume containing Cicero's *Friendship* and *Old Age*, and it is connected with these by its introduction, the three pieces making up Caxton's book. It opens with the words :

Here followeth the Argument of the declamation which labourereth to shewe wherein honoure shoulde reste :

Whan thempyre of Rome moste flourd .

From this argument we learn that Fulgens, a noble senator of Rome, had a daughter, Lucesse, of "marveyllous beaute", "grete attempteraunce of lyf", "worshipful conduyt. of manners", "grete force of wysdom", and "plenteous understanding of lectrure". Lucesse had two wooers, Publius Cornelius, a descendant of the Scipios, of wealth and following, whose "grete studye rested in huntyng, hauking, syngyng and disporte", and Gayus Flaminius, "borne of lower stocke" of moderate riches and virtuous manners, whose "grete studye was . . . to helpe his frende and contrey", but who in time of peace was "right busye and laborious in his bokes". Lucesse submits the decision to her father, who refers it to the senate, before whom the lovers make their declamations at length.

In the Interlude this argument is summarized in an account given by A to B of the "substaunce" of the play, the account beginning almost in the words of Caxton :

When thempire of Rome was in such flour.

It was too much for the little fellowship of players of interludes to present the Senate in session, so Medwall makes the lovers put their cases to Lucesse. This occupies

the greater part of Part II and is solemnly done in rime royal, a distinction reserved for the Roman element in the play; the humours of A and B, on the other hand, are maintained in rime doggerel. Medwall is bold enough to declare for virtuous poverty and gives the prize to Gayus Flaminius, whereas Caxton follows the tradition of the *débat* by leaving the verdict open :

As touchyng the sentence dyffynytyf gyven by the Senate . . .
I fynd none as yet pronounced . . . Thene I wolde demaunde
of theym that shall rede or here the book whiche of this tweyne
was moost noble . . . and to him juge ye this noble & vertuous
lady Lucesse to be maryed.

Bonaccorso had to consider the feelings of a Malatesta, Mielot of a Burgundy, and Caxton of a "most dread souerayn". It was therefore a happy stroke of Medwall's to give the woman's verdict, a privileged decision, excusable if questioned on a plea of natural affection; it was not the finding of the "faders conscript". To compromise on final issues is the wisdom of old men; it is not the way of women. There is something Portia-like in the assurance and competence of Luces.

We must now turn to the lighter side of Medwall's comedy, the humours of the two boys, A and B, and it is probable that in spite of the interest of the main plot, the humorous underplot in "rime doggerel" will prove to be of the higher importance. Two boys, A and B, have "well eaten" at the Cardinal's banquet when B tells A that a play is about to be performed. There is nothing in the world that A loves as much as a play :

I trow your owyn selfe be oon (he says) of them that shall play.
Nay (says B) I am none.

But B, who knows the plot, narrates it to A. The principal actors enter. A takes service with Gayus Flaminius, and B with his rival; and whilst the masters debate their claims to the hand of the mistress, the boys make sport for the lookers-on by wooing her maid.

We read in Roper's *Life of More*, that when young More was in Morton's household, he would "sodenly sometymes slip in among the players, and never studyinge for the matter, make a parte of his owne there presently among them, which made the lookers-on more sport than all the players besides". Nearly a century later, in the play of Sir Thomas More, we find More again represented as taking a part among the interlude players who provide a play within the play. It is interesting to find that this particular kind of impromptu adventure on the stage should be suggested in a play belonging to the period of More's youth, and to the household in which that youth was spent.

Equally striking is the discovery before 1500, in a romantic and entirely secular drama, of a comic underplot as clearly defined as that of *Twelfth Night* and conceived in the same spirit. We are, in fact, in the presence of a new thing, the first English Romantic play—a play based on an English translation of a French version of an Italian work of fiction, containing an underplot in which A and B make love to the maid while their masters seek the hand of the mistress. Dr. Boas has pointed out that the method of adaptation anticipates Shakespeare's use of North's translation of Plutarch's *Lives*.

In passing from the play to the author, let us first notice that his moral play of *Nature* has probably suffered from Payne-Collier's anecdote. *Nature* is a play of a type that cannot avoid dullness and was soon to become obsolete; the criticism applied to it should be adjusted to the type. We do not, for example, object to Sullivan that his cathedral music lacks the spirit of his Savoyard madrigals and melodies. Yet in *Nature* we find a note rarely heard in the rest of the early Tudor drama.

Who taught the cock his watch hours to obserue
And sing of courage with shrill throat on high?
Who taught the pelican her tender heart to carue
For she nold suffer her little birds to die?

Who taught the nightingale to record busily
Her strange entunes in silence of the night?
Certes! I, Nature and none other wight.

or again :

Pluck up thine heart and hold thine head upright ;
Aed euermore haue heauen in thy sight.

It is rare in the early sixteenth-century drama to find any expression of poetical feeling, and where it is found, as it is here, it is worthy of note that the metre moves with reasonable ease.

If it be urged that much of *Nature* is taken up with a very unclerical exposition of the coarse buffoonery of the vices, I would draw the attention of my readers to the admirable picture of Morton and his household in the first part of More's *Utopia*. There we see him, an old man of mean stature, dignified, impressive and gentle—a man who, schooled in the hard life of the civil wars of the fifteenth century, was anything but a recluse.

He took delight many times with rough speech to prove what prompt wit and bold spirit were in every man.

It was in that school of Renaissance culture and homely, blunt wit that Medwall flourished and More was trained, and if we would be admitted of their crew, we must not be too critical of their mirth.

Little is known of Medwall. Pitseus says that he was born in England of a very noble family to which he added lustre by his writings and character ; that he was greatly beloved by Morton, whose equal he was in integrity and learning ; that he left behind him many works which by carelessness had been allowed to disappear, and he mentions only *Nature*. It is unfortunate that Pitseus did not learn more of Medwall from Jasper Heywood, whom he met at Rome, for John Heywood's son must have known more than this of him through his father and his uncle, William Rastell, the printer of *Nature*.

He was ordained acolyte¹ in April 1490, and described as of the diocese of Winchester, a term of wide signification, seeing that it included Southwark, which adjoins Lambeth. Two years later, by patent dated 27th August, 1492, he was presented by the Crown to the Rectory of Balyngghem, in the marches of Calais, and was instituted on the following day by the Archbishop.² A further evidence of Court favour appears in a royal grant by patent on 17th September, 1493, of the Rectory of Newton, in the diocese of Norwich, but for some reason unknown he did not take up the living. He is described in Morton's Register (f. 169) as *Capellanus*, the description being amplified on the title-pages of his plays by the Rastells, who describe him as "late chapelayne to ye ryght reverent fader in god Johan Morton cardynall and Archbyssshop of Caunterbury".³ As there is no evidence that he proceeded farther in holy orders than the degree or order of acolyte, we must assume that he remained virtually a layman, which is perhaps what Pitseus implies by the term *sacerdos saecularis*. A Chancery suit in which Medwall was defendant, discovered by Mr. H. R. Plomer, who has communicated it to me, throws an interesting light on the nature of Medwall's activities as one of Morton's chaplains, and indicates one of the ways in which he was rewarded for his services. The immense machinery, both provincial and diocesan, over which Morton presided gave him the patronage of many offices of a semi-legal character. There was the great Prerogative Court, the Court of Arches, the Commissary Courts of Canterbury and of Calais, the Deaneries of Croydon, Shoreham and Bocking, and a number of other Peculiar Courts. These were served by a semi-clerical army of registrars, commissaries, recorders, scribes, apparitors and "fermours"; and it appears from Mr. Plomer's suit that muniments, books and records of, it may be, one or more of these courts were, at the time of Morton's

¹ Lambeth Library: Register, *Morton*, f. 140.

² Register, *Morton*, f. 153.

³ *Erat autem archiepiscopo Joanni Mortonio à sacellis atque consuetudine domestica* [Bale].

death, in the hands of Henry Medwall, who refused to deliver them up to Thomas Goldstone,¹ who, as Prior of Christ Church, Canterbury, assumed, *sede vacante*, all "ordinarie and spirituelle jurisdiction within the provynce". Morton died 12th October, 1500, and his successor, Henry Dean, did not assume office until 22nd July, 1501. The interval was unusually long, for Thomas Langton, elected to the See on 22nd January, 1500-1, died five days later of the plague. As Dean had taken over the Great Seal on Morton's death, it was he who, early in February, heard Goldstone's suit against Medwall. Whatever the result of the suit, Medwall scored a triumph of sorts, for on 27th February Letters of Protection of a remarkably comprehensive character were granted to him by letters patent issued by Dean under the great seal, which nullified the Prior's attack and rendered Medwall, his servants and deputies free from arrest, distrains, or fines. It is clear that Medwall was well friended. The Crown had rewarded him by the gift of livings and Morton had given him offices. Goldstone tried to deprive him of these, and judging by the number of administrative offices that he filled during the vacancy of the See he may have succeeded.² Medwall appears to have resisted him successfully until Langton's sudden death gave him a second spell of interregal authority. On 29th June, 1501, a successor was appointed to his Calais living,³ *vacantem per liberam resignationem Domini Henrici Medwall, capellani, ultimi rectoris*.⁴ In the introduction to *Fulgens and Lucre* (ed. Boas and Reed) I stressed the clause in Medwall's Letters of Protection extending the "safeguards" to Calais and beyond the seas—*tam infra dictum regnum nostrum Angliae quam alia dominia nostra ubicumque consti-*

¹ Goldstone was a notable man. He built the famous Christ Church Gate at Canterbury, and finished the Harry Tower, the final designs for which had been submitted to Morton. (See *Christ Church Letters*, No. 58, Camden Soc.) See p. 240 for transcript of the suit *Goldstone v. Morton*.

² See Register, *Blamyr*, at Somerset House, and Challenor Smith's introduction to P.C.C. Wills, 1383-1558, pp. xv-xix.

³ P.R.O., Patent Rolls.

⁴ Register, *Morton*, f. 169.

tuta—and conjectured that Medwall may have left England. This remains a possibility, but Goldstone's Chancery suit is in itself an adequate explanation of the Letters. He was apparently alive—and it is the last record of him at present known—on 26th July, 1501, when his successor was instituted to the Calais living. As John Rastell, who must have known him—they were both repaying "obligations" to the Treasurer of the King's Household in 1500-1—refers to him with some circumstance as Morton's chaplain, this presumably was the last significant office he held. Bale, his earliest biographer (1548), in stating that he flourished c. 1500, may be held to support the view that he did not long survive Morton.

In turning from Medwall to Rastell, the printer of *Fulgens and Lucres*, we must first note that there is every reason to suppose that the two men were known to one another. We have seen that before Morton's death in 1500 John Rastell was a familiar member of the More circle, and one infers from his *Utopia* that Thomas More's intimacy with the household life of the Cardinal was resumed during the years that he and Rastell were reading law in London. The fact that we owe the preservation of the two Medwall plays to the Rastells is therefore not surprising; nor is it strange to find that Rastell's own dramatic work bears obvious marks of the influence of Medwall. His play of the *Four Elements* is very distinctly influenced by Medwall's *Nature*, although it is in no sense a morality. Its aim is to awaken an interest in natural science: it is the work of an enthusiast of a new era, who felt the romantic possibilities of the age of discovery in which he was conscious of living. The stage, like his printing press, was a medium through which he might influence and kindle, or at any rate serve, his generation. His references in the play to his own voyage,¹ and the fact that these are explained in the lawsuit, of which we have already given a brief account, make it clear that there can be no doubt who wrote the play. It

¹ See Appendix I, p. 187: The Voyage in the year 1517.

is attributed to Rastell by Bale, and any question that may have arisen from the fact that the unique copy of the *Four Elements* is anonymous¹ may now be held to have been removed. But more than this: knowing the play to be his, we may take further evidence and examine his claim to the authorship of the other two plays that he printed.

The *Four Elements* has come down to us in a single copy, which is imperfect. Indeed, if Rastell followed his master Medwall in writing his *Interludes* in two parts,² then we have less than half of the original, and this, I think, is more than probable, since Bale describes it as a very long comedy—*longissima comoedia*. Indeed, of the ten "diuers matters", points of natural philosophy, that are promised in the preface, only the first four are dealt with. The sixth is "of the generation and cause of well-springs and rivers; and of the cause of hot fumes that come out of the earth; and of the cause of the baths of water in the earth, which be perpetually hot". We may gather some notions as to Rastell's views on fumes and hot baths from the passage in the *Pastyme of People* under Bladud, the founder of Bath:

a grete nigromancyer, as the story seyth, and by y^t craft made there y^e hote bathys, but other clerkis hold opynyon that they come naturally of y^e grounde. . . . Some phylozophers holde that y^e cause thereof is thiss: that whan there is a hote fume, etc.

Possibly under the article "Stones", he worked in views on the composition of the "stones at Stonehenge . . . all of one gryt", which he gives us under Aurelius Ambrosius. For the most part the *Pastyme* is an abbreviation of Fabyan, but it is enriched at intervals by characteristic asides; and even the omissions, as I have already suggested, are often illuminating, as when he refrains from repeating that it was for witchcraft that Jeanne d'Arc was burnt.

When we find an aside or critical remark therefore in the *Pastyme* we hear Rastell speaking, and as we know that we are listening to him in the *Four Elements*, we are prepared

¹ The only extant copy, being incomplete, has no colophon.

² *Gentleness and Nobility* is in two parts.

for coincidences. If we find like coincidences occurring in another play printed by Rastell, *Gentleness and Nobility*, of which he said in the colophon, "Johēs rastell me fieri fecit", we may consider that the question of the authorship of this play too is opening to proof. Before we go farther, however, it should be noted that as in the *Four Elements* one feels the influence of Medwall's *Nature*, so in *Gentleness and Nobility* the theme of Medwall's *Fulgens and Lucrez*, "wherein honour (or nobility) shall rest", is the dramatist's subject. The value of the play lies not in its dramatic power, but in the vigour, boldness and character of its author's reasoning. There is no suggestion of romance in the setting; the Merchant, Gentleman and Ploughman walk on and conduct their controversy without any plot or dramatic device to explain why they are there or why the subject should be in their minds at all. If the debate had any dramatic appropriateness it must have been in the circumstances of the time; and if, as I believe, it is closely related to the anonymous interlude, *Goodly Queen Hester*, it is a Wolsey play like Skelton's *Magnificence*; and Skelton's play is assigned to John Rastell's press.

In the first or Roman section of the *Pastyme*, under the article *Publius Valerius Publicola*, Rastell tells us that when a dictator's term of office was completed, he was answerable to complaints alleged against him and punishable for offences. To this he attributes the high standard of Roman law and justice and the growth of Rome in riches and power.

Wold God, he adds, it was so used at this day in the realme of England, that euery iugge and other offycers hauyng auctoryte to execute y^e lawis, or to gouern or to rule in any office, shold be remouable at iiij or v yere or lesse and then to answere to all complayntis that shold be allegid agayns him, and to be ponished for euery offence that he had committed in his rome, and then ther wold not be so mich extorcione and oppresseone of the pore people, nor so many iniuries as is now a-days.¹

¹ Written in 1529, this passage may well reflect Rastell's attitude towards Wolsey.

Later, under Edward I, he finds an instance of such an inquest into the conduct of officials :

Many complaints were made of his offycers as mayres, sheryffes, baylyffes, exchetours, and dyuers other. Wherefore he ordayned his justyce to make inquisicyons therof, whiche after was called Trolbaston ; where by forfeytours and fynes, the kynge . . . fylled his coffers agayne.

To this Rastell himself adds the comment :

Nevertheless, this kynge did great good within the realme of Englande, for those offenders were well chastyced, and were moche more meker and better, and the pore commons lyued in moche more rest and peace.

The stage, like the printing press, was an instrument to Rastell for the mission he so often speaks of, his work for the "Commonweal". It is arresting, therefore, to find in the concluding stanzas of *Gentleness and Nobility* the passage that follows :

But because that men of nature euermore
Be frayle & folowyng sensuallite
Yt is impossyble in a maner therfore
For any gouernours that be in auctoryte
At all tymys Just & indyfferent to be
Except they be brydelyd & ther to compellyd
By some strait laws for them deuysyd.

As thus that no man such rome occupye
But certayn Yerys & than to be remouyd
Yet that whyle bound to attend dilygently
And yf he offend & surely prouyd
wyth out any fauour that he be ponyhysshied
for the ponysshment of a Juge or offycer
Doth more good than of thousand other.

And untill that such orders be deuysyd
Substauncyally / and put in execucion
Loke neuer to see the world amended
Nor of the gret myschefes the reformation
But they that be bounde to see the thinges done
I pray god of his grace put in theyr myndys
To reforme shortly suche thynges amys.

And though that I myselfe now percase
 Thus myn oppynyon haue publyshed
 Or any of my felowes here in this place
 In any poynt here haue us abused
 we beseche you to holde us excused
 And so the auctor herof requyreth you all
 And thus I comyt you to god eternall

AMEN

Johēs rastell me fieri fecit.

We learn from the article "Henry IV" that the *Pastyme* was compiled in 1529. In this year Rastell produced another work entitled *A Newe Boke of Purgatory*. He nowhere mentions Simon Fish, with whose general position in the *Supplication for Beggars* he certainly had much sympathy, but the *Boke of Purgatory* was written to combat Fish's statement that many men of "greate litterature and iudgment", for the love that they have "unto the trouth and unto the comen welth . . . declare theyre oppinion . . . that there is no purgatory", but that it is an invention of the spirituality.

More replied to Fish in the same year in his *Supplication of Souls*, in which the souls in Purgatory appealed against the isolation that threatened them, and besought their brethren on earth to think what their action involved.

Rastell bases his proof on "natural reason and good philosophy" and conducts his case by dialogue; Gyngemyn, a Mohammedan Turk, and Comyngo an Almayne, carry the thesis through three books, the "Almayne" playing the part of the listener. It is agreed that no scriptural allusions are to be admitted; on this point there is much emphasis laid:

But yet one thyng I will warne the, says the Turk, consydering that my onely purpose is to proue the thyng (the existence of Purgatory) by reason / that . . . thou aledge no manner text no authoryte neither of the bokys of the olde byble / nor of the newe testament, neyther of no other boke . . . of the deunyte of thy crysten faythe.

We have here a characteristic Rastell attitude. He is the apostle of "natural reason and good philosophy".

His faith in the appeal of reason is remarkable. Thus in *Gentleness and Nobility*, the Ploughman, who is attacking the laws and custom of inheritance, is met by the knight with the text "tibi dabo terram hanc et semini tuo": whereon he replies:

Ploughman. Thou answerest me now euen lyke a fole
As some of these fonde clarkes that go to scole
when one putteth to them a subtyll questyon
of phylozophy to be prouyde by reason.

Then they will aledge some auctoryte
of the lawes or elles of deuynite
whiche in no wyse men may denye
And yet ye knowe well that of phylozophy
The pryncples oft contraryant be
Unto the very grounds of deuynite.

To estimate the value of this coincidence one must remember that we have here a very advanced position for the early Tudor mind. As to its dramatic appropriateness, we may recall that the mediaeval ploughman enjoyed literary privileges.

Rastell's central position as the apostle of "natural reason and good philosophy" is in the warp and weft of the Interlude. The best way to convert the people, he says:

Ys to perswade them by natural reason
For when that a man by hys owne reason
Juggyth hymself for to offend
That grudgyth his conscyens & gyffeth compuncyon
Into hys herte to cause hym amend.

G. and N.

Or as he says in the *Boke of Purgatory*:

There is nothing in the worlde shall alter and chaunge a
mannes mynde and beleue so well and surely / as shall the
iugement of hio owne reason.

B. of P.; II, Cap. I.

The *Boke of Purgatory* deals with the Existence of God in Book I, the Immortality of Man's Soul in Book II, and

Purgatory in Book III. It is a fascinating book, because it so entirely reflects the singularity of Rastell's mind :

Nobleness (he says in I. 4) is that whyche hath leste nede of foreyne helpe / that is to saye of helpe of any other thyng . . . the cause is more noble than the effect . . . everything that takyth any effect hath nede of the cawse . . . God is the most noble thing that can be.

This appears in the Interlude in the following words of the philosophic ploughman :

Ploughman. Ys not y^t the noblyst thyng in dede
That of all other thynges hath lest nede
As god which reynith etern in blysse
Is not he the noblest thing y^t is . . .
. . . (because he) nedyth the helpe of no nother thyng
To the helpe of his glorious beyng
But euery other thyng hath nede of his ayde.

To this, the reply is made that "euerie beast fyssh and other foule" is by this reasoning "more noble of birth than a man" :

For man hath more nede of bodely coueryng
Than they haue for they nede no thinge
The bestes haue herr & also a thik skin
The fissh skalys or shells to kepe theyr bodyes in
The foulis fethers & so eueri thing
Bi nature hath his proper couering
Saue man himself which is born all nakyd
And therfore he shuld be than most wrechyd.

The Ploughman readily grants that "consideryng man's body, a beste is more noble & man more wrechyd", for man must "dayly labour & swete", dig, kill beasts for meat, cultivate fruits and herbs for drinks,

Yet this not wythstandyng
Man is most noble of creatures lyuyng
Not by hys body for that is impotent
But by his soule beyng so excellent
For by reason of his soule intellectyue
He subdewyth all other bestis that be
By hys wit to releue his necessaryte.

Now this line of thought occurs also in the section of the *Boke of Purgatory* that deals with the immortality of man's soul. After distinguishing souls vegetative (plant-life), souls sensitive (animal life), and souls intellectual, Gyngemyn, the Turk, replies to Comyngo's question :

Why is the life of man here in yerthe more wreched sorowful & worse than the lyfe of any other brute beste.

Gyn. Thou knowest . . . that the body of man is more feble and tender than the body of any other brute beste for the bodye of man is all tender and naked . . . for ye fysshes have of theyr nature shelles or skalys to couer and defend theyr bodyes / the bestes be full of here and haue thycke skynnes / the foules haue fethers. . . . Man must take great labour for the obteynyng of his necessary fode & lyuyng as to tyll the grounde . . . to get hym drynk & fode (II. 5). And also the (soul) of man hath a more noble and a more worthy beyng than the brute best whiche hath but lyfe sensytyue (I. 6).

The same fundamental thoughts occur in the *Four Elements* :

Plantis and herbys growe and be insensate
Brute bestis have memory and their wyttes fyue
But thou hast all those and soule intellectyue
So by reason of thyne understandyng
Thou hast domynyon of other bestes all.

Four Elements, A. 6.

"He that studieth for the life bestial, as voluptuous pleasure and bodily rest, I account him never better than a beast." "The more that thou desirest to know anything, therein thou seemest the more a man to be ; for that man desireth no manner cunning, all that while no better than a beast is he." These two sentences from the speech of Natura Naturata in the *Four Elements*, occur as follows in the words of the Ploughman :

One cause thereof ys for lak of lernyng
They perseyue not the reason of the thyng.
A nother is be cause ther be many
That call them self gentylnen unworthy
Whych lyfe voluptuously & bestyall.

G. and N., Book I.

When the Ploughman says that "each man is born to labour truly as a bird is born to fly naturally" he is uttering one of Rastell's principles, one that got him into trouble in later years when he fought the clergy about tithes and offerings. It is behind the strong views on the evils of inheritance that he maintains in *Gentleness and Nobility*. It is expressed just as clearly in the *Four Elements* :

For every man in reason thus ought to do
To labour for his owne necessary lyuyng
And than for the welth of his neyghbour also.

Four Elements, A. 3.

I have, however, said enough to show my reasons for believing that the play of *Gentleness and Nobility* is the work of John Rastell. A more exhaustive collection of parallel passages might be made, but it is sufficient to have found typical examples from the *Pastyme of People*, the *Boke of Purgatory*, and the *Four Elements*.

If, then, in the words "Johẽs rastell me fieri fecit" in the colophon of *G. and N.*, we are to understand that authorship is implied, what is the meaning of the colophon of *Calisto and Meleboea*, "Johẽs rastell me imprimi fecit" ?

It would be an important help to know how Rastell himself might render the words, and I think that we have this information. The colophon to his edition of Lynacre's *Progymnasmata* runs :

Empryntyd in London on y^e Sowth syde of Paulys by John Rastell with y^e priuyllege of our most suverayn lord kyng henry the VIII graunted to the compyler thereof that no man in thys hys realm sell none but such as *the same compyler makyth prynted* for y^e space of II yeare.

The italics are mine ; the words "Johẽs rastell me imprimi fecit" may therefore be rendered on Rastell's authority, "John Rastell (the compyler) had me put in print". And they bear the same meaning in his *Magnum Abbreviamentum* of 1528.

The Interlude of *Calisto and Meleboea*, following in the

train of Medwall's *Lucres*, is a comedy of romantic intrigue, and like Medwall's play it is a translation. In Mr. H. Warner Allen's edition of Mabbe's translation of *Celestina* with the Interlude of *Calisto and Meleboea*, we are fortunate in possessing a remarkably comprehensive and methodical treatment of the literary history of this early Spanish picaresque romance. The Interlude, he suggests, was translated directly from the Spanish not earlier than 1502. The translator worked fairly literally on Act I, part of Act II and Act IV of the twenty-one acts of the original. Then after line 920 the connection with the original suddenly ceases, the coarse intrigues of "Celestina the bawd" are cut short, the father of Meleboea enters under a name new to the romance, "Danio", and the play proceeds to an edifying, moral conclusion. Of the 1,088 lines of the Interlude, 800 were found by Mr. Allen to be more or less literally translated, 168 belong to the moral ending, and there are 42 lines of introductory dialogue before the translation begins. We are left therefore with only 78 lines of original matter in the body of the play. Some of these are scriptural and conventional substitutions for classical references. Eve, for instance, takes the place of an erring goddess; a prayer to St. Appoline is substituted for a Cumaeian charm; Meleboea "goeth to mass" prettily in the Interlude, but merely "goes abroad" in the original. There is not much scope left, therefore, for a search for Rastell's workmanship in the body of the translation.

I hope to show, however, that it is not improbable that his hand is to be detected there.

To More, *Celestina* was "the baude mother of naughty-nes", and the writer of the edifying close was of the same opinion. How was the needful break effected? A few lines of soliloquy are allowed to *Celestina*, who then departs to inform *Calisto*, the *Romeo* of the "Tragicomedia", that the plot goes well; and then *Danio*, father of *Meleboea*, enters, greatly haunted by a horrid dream. *Meleboea* comes on and he relates the dream. She recognizes its significance

and confesses how near to disaster she has come. At her father's bidding she prays for forgiveness ; he raises her up, and then turning to the audience takes upon him the Rastellian office of philosopher, and begins :

Lo here ye may see what a thyng it is
To bryng up yong people verteously,

and we fall back at once into a characteristic vein :

The bryngers up of youth in this region
Haue done gret harme because of theyr neclygens
Not puttyng them to lernyng nor occupacyons
So when they haue no craft nor sciens
And come to mans state ye see the experience
That many of them compelled be
To beg or stele by very necessite.

The same complaint of the evil effects of an idle youth appears in the words of our old friend the Ploughman :

Alas I haue knowen many or thys
So proud of theyr byrth that all theyr lyffys
wold gyf them to no labour nor lernyng
whych brought them to myserable endyng
That in pouerte wrechydly dyd dye
Or fallyn to theft & hangyed therfore full hye.

G. and N., Book I.

And having shown the evil results of the neglect of education and training, the Rastellian Danio calls on the "heads and rulers" to make good laws, execute them straitly and remove the cause of social ills by seeing to it that young folk are well brought up. Then he concludes :

Wherefore the eternall god that raynyth on hye
Send his mercefull grace & influens
To all gouernours that they circumspectly
May rule theyr inferiours by such prudence
To bryng them to vertew & dew Obedyens
And that they & we all by his grete mercy
May be parteners of hys blessyd glory.

AMEN

Johēs rastell me imprimi fecit.

The resemblance of the moralizing addresses at the conclusion of *Gentleness and Nobility* and *Calisto and Meleboea* with their exhortations to "gouvernors", are too striking to be lightly set aside. We are listening to John Rastell "singing again his old song", the song of which we are told in 1536 that Cranmer was "aweary":

But if Rastell created the "Danio" close, he must have invented the dream; and here again the *Boke of Purgatory* helps us. Rastell had views on dreams and visions which he sets forth at length in the sixth chapter of Book II. It is a long chapter, and we learn from it some unexpected things, such as that dogs and hogs do not dream in spite of their noises; but for our present purpose I will select a short passage:

Many a man in his dreame hath had dyuers vysyons / and hath forseen & had knowledge of thynges to come / whych hath afterwarde fallen playnly and truely accordyng to his vysyon.

Assuming therefore that we have good reason for attributing the unexpected dénouement and moral ending of the comedy to Rastell, is there any of his handiwork in the body of the play—that is, in the translation? There is one passage at least that is striking; Calisto is complaining of the consuming fire of his love, when the translation ceases and we find the following passage intruded:

- C. And yf the fyre of purgatory bren in such wyse
 I had leuer my spirite in brute bestes shuld be
 Than to go thydyr and than to the deyte
 S. Mary Sir that is a spyce of heryse
 C. why so / S. For ye speke lyke no crystynman.

A similar reference to heresy occurs in *G. and N.*:

Kt. Beware what ye sey sir now I aduyse you for it is treason
 or herysy that ye spek now.

But it is the possible reference to the Purgatory controversy and the Rastellian allusion to brute beasts that arrests us, for Rastell has much to say in the *Boke of Purgatory* on the

souls of brute beasts. He holds that they are not immortal. We are not, in that case, dealing with a Pythagorean allusion, but with an indication of Rastell's influence.

Another case, which is equally striking, occurs in the translation itself. The Spanish (1502) reads :

No has leydo el filosofo do dize Assi como la materia apetece als forma assi la muger al varo ?

which Mabbe renders, " Did you never read of that philosopher, where he tells you that, as the matter desires the form, so woman desires man ? ¹

But we have already seen that Rastell's view of nobility or worthiness was that it implied absence of dependence, need or desire (p. 110). So that he changes the obvious translation to square with his own theory, and instead of woman desiring man, he renders it woman is less worthy or noble than man.

Phylozophers say the matter is less worthy
Than the forme / so is woman to man surely.

Cal., A. 4.

Rastell doubtless had friends in the circle of More and Vives, as well as in Queen Katherine's household, who might do the translation, but the passage suggests that he revised it in his capacity as adapter.

The conclusion of my argument, therefore, is that John Rastell was certainly the author of the *Four Elements* and *Gentleness and Nobility*, and I believe that he was the adapter or compiler of *Calisto and Meleboea*. Mr. Allen's argument that the comedy was translated from the Spanish is well supported, but no one has yet, apparently, compared it with the French version of 1527. We have no evidence as to Rastell's knowledge of Spanish, but his French was good enough for anything. Baskervill's stimulating and

¹ The proposition is common in scholastic philosophy. Chaucer has " As matier apiteteth form alwey ", L. G. W., 1582. And Hoby's *Courtier* has: " It is the opinion of mostwise men that man is likened to the Form, the woman to the Mattier ".

suggestive little article on Rastell's dramatic activities (*Mod. Phil.*, xiii, 1916) ¹ comes near to stating my results. Rastell's stage in Finsbury Fields is a fact to be reckoned with.

It is, I repeat, becoming apparent that the break with the tradition of the allegorical morality and the rise of the freer forms of imaginative drama are connected in a remarkable way with the circle of the Rastells, More and Heywood, and it seems that the movement towards dramatic freedom began in the household in which More was brought up, the household of Cardinal Morton.

The problems of the Canon of John Heywood's plays, and their place in the development we have been dealing with, is the subject of my next chapter.

¹ The Rastell authorship of *G. and N.* is ably maintained by Miss E. C. Dunn of Bryn Mawr (*Mod. Lang. Rev.*, 1917), but without reference to the prose works.

CHAPTER V
THE BEGINNINGS OF THE ENGLISH SECULAR
AND ROMANTIC DRAMA (II)

THE CANON OF JOHN HEYWOOD'S PLAYS

* **W**HEN John Heywood published his *Woorkes* in 1562, he did not include his plays, and in consequence of this omission there are now doubts as to the authorship of some of the Interludes that a long tradition has attributed to him. *John Heywoodes Woorkes* were, in fact, only the proverbs and epigrams that he had been publishing at intervals since 1546. It is now proposed to determine, if possible, the origin of the traditional canon.

In the first or Ipswich Edition of the *Scriptorum Summarium* of 1548, Bale mentions only the first two books of the Proverbs, *atque alia*.

In the second or Basle Edition of 1557 he mentions three plays, *De Aura* (*Wether*), *De Amore* (*Love*) and *De Quadruplici P.* (*The Four PP.*)

Pitseus, in his *De illustribus Angliae Scriptoribus*, published in 1619, added to Bale's list the *Spider and the Fle* and a book of English songs, "et alia his similia non pauca", but he did not add any new plays.

In 1671 Francis Kirkman revised a list of plays appended in 1661 to his edition of *Tom Tyler*, and printed it at the end of his edition of John Dancer's translation of Corneille's *Nicomède*, as "an exact catalogue of all the English Stage Plays printed till this present year 1671 . . . all of which you may either buy or sell at the house of Francis Kirkman in Thames Street, over against the Custom House, London". This list is arranged alphabetically under titles, the *Four*

PP. coming under F and the rest of the Heywood plays under P, as follows :

- p. 5. John Heywood, Four PP. I (Interlude).
p. 11. John Heywood, Play of Love. I.
John Heywood, Play of Weather. I.
John Heywood, Play between Johan Johan the husband,
Tib his wife etc. I.
John Heywood, Play between the Pardoner and the
Friar, the Curate and Neighbour
Prat. I.
John Heywood, Play of Gentleness and Nobility, 1st
Part I.
p. 12. John Heywood, Play of Gentleness and Nobility, 2nd
Part. I.
Pinner of Wakefield. C (Comedy)
Philotas Scotch. C.
H. H. B. Plutus.
Patient Grissil.
Patient Grissil old.
Promises of God manifested.
Promos and Cassandra, 1st Part.

I have given the list in its original form (1671 edition) because it explains a curious blunder made by Phillips, Winstanley, and Anthony à Wood, and, strangely, copied by Warton a century later. These all add to Kirkman's list of Heywood's plays the impossible *Pinner of Wakefield* (*George-a-Green*) and a Scottish *Philotas*. It will be seen from the paging and arrangement given above to be a natural blunder to treat the anonymous plays as covered by the last writer mentioned.

There are three earlier Play Lists each printed like this as an appendix to a quarto edition of a play. They are found in

- A. Rogers and Ley's edition of *The Careless Shepherdess*, 1656.
B. Archer's edition of *The Old Law*, 1656.
C. Kirkman's First List in his edition of *Tom Tyler*, 1661.

So far as Heywood is concerned, Kirkman's first list does not differ from his second of ten years later; Rogers and Lev

give only *Four Pees*, without naming Heywood; Archer gives *Four Pees* and *Wether* without naming the author. These lists are rearranged and tabulated by Dr. W. W. Greg (*A List of Masques, Pageants, etc.*, App. II.).

It appears, therefore, that Kirkman is the authority for the traditional Heywood Canon, and fortunately he has left us some account of his activities as a collector.

In his Advertisement to the Reader (1671) he says:

It is now just ten years since I Collected, Printed, and Published a Catalogue of all the English Stage Plays that were ever till then Printed; I then took so great care about it that now after a ten years diligent search and enquiry I find no great mistakes.

I really believe there are no more for I have been for twenty years a collector, and have conversed with those who have been Collecting these fifty years. These I can assure you are all in Print for I have seen them all within ten and now have them all within thirty. . . .

I have read all these Plays and can give some account of every one. . . . I will acquaint you with some of my observations and so conclude.

He that was the first Play-writer, I find to be one Heywood, not Thomas, but John Heywood, who writ seven several Plays, which he calls Interludes; and they are very old, being printed with the first of our English Printing; and he makes notable work with the then Clergy.

He concludes with rather a cruel blow at a contemporary:

I could say somewhat more of him and of all the old Poets, having taken pleasure to converse with those who were acquainted with them, but will conclude thus: that as John Heywood was the first English Play-writer, so in my opinion Thomas Meriton, who writ two pamphlets which he calls Plays, viz., *Love and War*, and *The Wandering Jew*, was the worst . . . (and the best of his contemporaries is) the most accomplished Mr John Dryden.

Kirkman claims to have conversed with collectors of fifty years' experience, which carries us back to the time of

Pitseus (1619), and during that period the book trade and its customers, the book-lovers, had arrived at a "Corpus", which still finds strong support.

It is useful to find that the traditional Canon has a tangible origin and that the conception of Heywood as an originator was established in the age that saw the birth of modern criticism under Dryden. It is an interesting fact that Pepys appears to have accepted Kirkman's authority, for there are at Magdalene College, Cambridge, editions of the *Four PP.*, *Johan the Husband*, *Love, Gentleness and Nobility*, *Pardoner and Frere*, and *Weiher*, but not the *Pinner* and *Philotas*. In fact, Pepys made a point of completing his collection of the works of "the first English Play-writer".

EDWARD PHILLIPS, "Theatrum Poetarum" (licensed by L'Estrange, 1674), says :

John Heywood, "an old-fashioned Dramatic writer" as appears by the title of his Interludes, viz., *The Play of Love*, *The Play of Weather*, *The Play between Johan and his Wife*, and *the Play between the Pardoner and the Fryar*, the Curate and his Neighbour, *the Play of Gentleness and Nobility* in two parts; besides two Comedies of *the Pinner of Wakefield* and *Philotas Scotch*.

WM. WINSTANLEY, *Lives of the Most Famous English Poets* (1687), repeats Phillips.

GERARD LANGBAINE (the younger), *An Account of the English Dramatic Poets* (1691), attempts some biographical details which he appears to owe to Peacham and Pitseus :

Heywood lived at North Mims. He was most familiar (familiarissimus—Pits) with Sir Th. More whose neighbour he was, and by whom I suppose he was introduced to the knowledge of Queen Mary.

He was I believe one of the first Dramatic Writers in our English tongue and published Seven Pieces, which he calls Interludes: and which according to Mr Kirkman were printed with the first of the English Printing. Of all his plays I never saw but one, which I have by me in quarto; though I have been told that the rest of his plays are printed in folio of which in order;—

Then follow the *Four PP.*, possibly his own copy, for he quotes Middleton's title-page, *Johan Johan, Pardoner and Frere, Gentleness and Nobility* (two parts), *Love*, and *Wether*.

He adds: "Dr. Fuller mentions a Book writ by our author entitled 'Monumenta Literaria' which is said to be 'non tam labore condita quam lepore condita'".¹

He then corrects the blunder of Phillips and Winstanley.

'Tis not unlikely that our Author may have more Plays in Print than we have mentioned; but I am very confident that the Pinder of Wakefield and Philotas Scotch, notwithstanding the Allegations of Mr Phillips and Mr Winstanley are not of that number; the one being written, as I suppose, at least printed above 20, the other more than 40 years after his death.²

ANTHONY À WOOD, *Athenae Oxoniensis* (1691), follows Phillips and Winstanley, including in his list the *Pinner* and *Philotas*. He adds that he had also seen an *Interlude of Youth* printed in London in old English characters, *temp.* Henry. VIII, but whether John Heywood was the author of it he does not know.

Wood adds several well-known biographical notes from Bale, Pits, Peacham, Harington, and Camden.

THOMAS WARTON, *Hist. Eng. Poet.* (vol. iii, 1781), follows Wood, and therefore, not to his credit, retains the *Pinner* and *Philotas*, apparently disregarding Langbaine.

DAVID ERSKINE BAKER,³ *Biographia Dramatica* (1782), gives the six plays and adds bibliographical descriptions.

He rejects *Pinner* and *Philotas*, saying:

Langbaine rejects their authority (Phillips and Winstanley) and I think with good authority, as both these pieces are printed anonymous and both of them not published until upwards of 30 years after the author's death.

¹ Fuller's reference to *Monumenta Literaria* is due to a quaint and rather stupid mishandling of Pitseus, "De Joanne Heyvode": "non pauca tradidit posteris literaria monumenta non tam labore condita quam lepore condita" (p. 753).

² A note in Langbaine explains the Scottish *Philotas*: "Philotas, a Comedy 4^{to} printed in Scotland, 1612. The Play shows the mischief oftunes happening by old age marrying with Youth." By a curious coincidence this is the theme of Part II of Heywood's *Dialogue*. Rogers and Ley (1656) call it *Philotas in Scotch*.

³ Defoe's grandson.

It is not necessary to carry the early history of the canon farther. So far as the plays are concerned, the traditional canon assumed its present form in the book-shop of Francis Kirkman. Phillips used Kirkman's list and blundered into adding the *Pinner* and *Philotas*. Langbaine corrected the blunder and Baker accepted the correction, but Winstanley, Wood and Warton followed Phillips.

Thus, whatever we may think of the judgment of critics who could include *George-a-Greene*, the *Pinner of Wakefield*, in Heywood's works, it is important that we should recognize that Kirkman was innocent. What grounds he had for definitely assigning *Johan Johan* and the *Pardoner and Frere* to Heywood we cannot say, but, in spite of his loose terms, "the first English Play-writer", "the first English printing", he bought and sold and lent and loved his plays and romances, and the judgment of the generation that produced a Junius and a Dryden is not to be despised, though it may leave us problems.

There are thus six plays assigned by tradition to Heywood, and we are able to add to that number the manuscript play at the British Museum commonly known as *Witty and Witless*, which is subscribed "qth Jhon Heywood", but which was unknown to the bookseller, Kirkman.

The play of *Love* and the play of *Wether* were printed by Heywood's brother-in-law, Wm. Rastell, who states on the title-page that they are by John Heywood. The manuscript play may also with certainty be accepted as Heywood's.¹

The *Pardoner and Frere* and *Johan Johan* were also printed by Wm. Rastell, but they have no title-page, the title occurring as a descriptive heading on the first page of the play; moreover, they are anonymous. The *Four PP*.

¹ The manuscript play *Witty and Witless* (Harl. 367) in laborious closeness of debate resembles *Love*, and has many affinities of style with that play and *Wether*. Though the MS. concludes, "Amen qth John Heywood", it is not in Heywood's hand. (See facsimiles, p. 124.) For the dates of Rastell's editions of the Heywood plays see p. 81.

was printed by Wm. Middleton, a printer of law and medical books, about 1544, with a title-page on which the play is said to have been "made by John Heywood".¹

It appears, therefore, that of Kirkman's six plays the position in the Canon of two is secure beyond all question. *Love and Wether* are stated in 1533 to be Heywood's by his brother-in-law, Wm. Rastell, and are recorded by Bale in 1557, Pitseus in 1619, and Kirkman in 1661.²

The *Four PP.* has a very good claim to inclusion, one indeed that can only be set aside if it is found to be unreasonable to suppose that Heywood wrote the play. Middleton (c. 1544), Bale (1557), Pitseus (1619), and Kirkman (1661) all show Heywood as the author.

Johan Johan and the *Pardoner and the Frere* have no particular affinities of style or matter with *Love and Wether*, but obvious affinities with the *Four PP.* and with one another. If it should prove that the *Four PP.* is not a Heywood play, it would be very difficult to retain *Johan Johan* and the *Pardoner and the Frere*, as they do not come into the traditional Canon until 1661. *Gentleness and Nobility* we have claimed for John Rastell.

We are, therefore, confronted with a pretty problem. There are two trilogies claimed for Heywood which are remarkably unlike, so unlike at a first glance that they appear to be the work of different minds.

The *Love* group is undoubtedly Heywood's, and its characteristics are found also in the *Dialogue*, the *Spider and the Flie*, and the Ballads and Songs.

The subject-matter of the other group stands apart from Heywood's unquestioned work. We find, for instance, among the undoubted works nothing in the spirit of the *Pardoner and the Frere*, nothing resembling, let us say, More's *Mery jest of how a Sergeant would play the Frere*, which is quite in that spirit. There is, indeed, one

¹ Of the thirty-seven dated works printed by Middleton only three appeared before 1543. The *Four PP.* is his only known play.

² See p. 119.

passage in the *Spider and the Flie* that has the older satiric note :

There never was Fryer limiter, that duckt,
So low, where beggyng woon him twenty cheeses,
As is the flie now to the spider ruckte.

But Kirkman characterized Heywood's plays as "making notable work with the then clergy". "The then clergy" do not appear in *Love or Wether*, nor does *Witty and Witless* contain any reference to them. He must, in fact, have referred to the *Four PP.* group. Are we, then, safe in accepting Middleton's title-page and attributing the *Four PP.* to John Heywood?

Middleton, the printer of the *Four PP.*, began to print about 1541, and died in 1547, during which time he printed many law books and some medical works. He was buried at St. Dunstan's in the West (P.C. Wills, 39 Alen). His shop was at the Sign of the George in Fleet Street, and his customers were probably mostly from the Inns of Court and Chancery near at hand. Richard and John Heywood's houses in St. Bride's Parish and Salisbury Court were almost within a stone's throw of his shop, and the *Four PP.* first saw the light in a part of London where few men were better known than the Heywoods and their friends, the Ropers, Rastells, and their legal circle.

In 1543 the Commission of Enquiry into the plot against Cranmer began its investigations, and, as we have already shown, John Heywood very narrowly escaped the death of a traitor at Tyburn by submitting to read a recantation at Paul's Cross in July 1544. I think it is reasonable to assume that Middleton printed the *Four PP.* while Heywood's case was the talk of the Inns of Court. When a book or pamphlet is issued in such circumstances one usually sees plainly the action either of a friend or of a foe. I submit that Middleton's enterprise was not merely an attempt to catch a ready market, but was calculated to do Heywood good. It certainly was no hostile act. For what was the

charge against him? His recantation shows that his complicity in the reactionary plot of Gardiner, Norfolk and the enemies of Cranmer was reduced to a charge of denial of the King's Supremacy. The play, of course, does not touch the question of the Supremacy, but it shows Heywood as the satirist of the parasites of the old order, and if I am right in my view of the circumstances and time of the publication, it is clear that the act of printing was not an unfriendly one.

Without going so far as to assert that Heywood was responsible for the act of publication, one may suggest that his friends undertook or prompted it. In that case the credentials of the title-page would be as good as those of *Love and Wether*.

But assuming as an alternative that the enterprise was entirely due to Middleton's quick business instinct, then we are met by certain possibilities. Either he knew the play to be a Heywood play, or he was ignorant in the matter, or he knew it was not a Heywood play.

In the first case, the title-page would be a statement of fact; in the second and third cases we must charge Middleton with an act of clever dishonesty.

But what need was there for dishonesty? The *Four PP.* is a good piece of work. It was reprinted by Copland and Allde, and it had no need of the added attraction of Heywood's name. Further we have, so far as I know, no reason to look upon Middleton as a dishonest man. The list of his works in Mr. A. W. Pollard's Hand List does not support the suggestion of dishonesty. There is therefore apparently no particular reason for supposing Middleton's title-page to be suspect. If, however, we can show from an examination of the play that it contains clear evidence of Heywood's mannerisms and methods, then I think that we may consider that the title-page is reliable and the play Heywood's.

The *Four PP.*, like *Love, Witty and Witless* and *Wether*, is a "debate". The question at issue is not, as Collier suggests, which can tell the greatest lie, but whether the

Palmer, the Pardoner or the Potycary "shall take the best place".

The office of each is to send folk to heaven, or as the Arbiter, the Pedlar, puts it :

Eche of you somewhat doth showe
That soules towards heven by you do growe.

Why not, he suggests, "agree to contynue togyther all thre, and all obey one wyll?" The Palmer might discharge men of their pilgrimages, the Pardoner grant folk indulgences, and the Potycary send them to heaven. But such co-operation demands a leadership :

"For good order," says that Potycary,
"Twayne of us must wayte on the thryde."

This question of precedence being raised, the arbiter devises as tests of supremacy :

some maner thyng
Wherin ye all be lyke connyng,

"even lying", for :

all ye can lye as well
as can the falsest devyll in hell.

Here the position is like that of the *Spider and the Flie*, who, having stated their cases before the two arbiters, Antony Ant and Bartilmew Butterfly, it is found that the decision depends on the relative "credence" or honesty of spiders and flies—in a word, which is to be believed, a point in legal practice that troubled Solomon (see *Spider and Flie*, cap. 38 ff.). On this question of the relative honesty the case breaks down before the arbiters, and civil war ensues.

In the *Four PP.*, with comic irony, the claims to precedence of the three disputants are decided not by the test of credibility, but of incredibility or mendacity.

I would therefore suggest that the central theme is in Heywood's manner.

So also is the conclusion characteristic of Heywood, for though the Palmer's lie is adjudged "to be the most excellent", the other two refuse to acknowledge his lordship, and in the language as it might be of the Chamberlain of the Household, the victor discharges his truculent subordinates:

I clearly of waiting do discharge ye.

For one characteristic of a Heywood debate is that it never reaches a decision, unless by the interposition of a *deus ex machina*. Thus Jerome shifts the ground and closes the discussion between John and James in *Witty and Witless*; Jupiter's fiat closes the debate of *Wether*; *Love* ends in a compromise and a Christmas wish; the *Spider and the Flie* is closed by the Maid (Mary) who, with a sweep of her broom, clears the lattice of cobwebs and ends a controversy of ninety-eight chapters.

And in this same manner the Pedlar decides:

Now be ye all evyn as ye begoon
No man hath loste nor no man hath woon.

On the contrary, it is a strong argument against Kirkman's attribution of *Gentleness and Nobility* to Heywood that the writer leaves us in no doubt as to his decision, viz. that it is "virtue and gentle conditions" alone that make "gentleness and nobility". He even lectures the worshipful audience, "Souereyns all that here present be", warning them that their

hedys rulers and gouernours all
Shuld come therto because of theye vertue,
And in auctoryte they ought not contynue
Except they be good men, dyscrete and wyse
And haue a loue and zeale unto Justyce.

In Heywood's *débats* there occurs a characteristic summing-up or recapitulation of the case already stated at length by the parties to the controversy. These recapitulations are somewhat frequent in a long work like the *Spider*

and the *Flie*, and they add to its tediousness. Cap. 23 may be cited as a typical case. In *Wether*, Merry Report recapitulates the claims of the eight suitors carefully and at length (D iii verso and iv recto); James, in *Witty and Witless*, summarizes the earlier arguments for Jerome (p. 205, Farmer's *E.E. Drama*).

It appears to have been beyond even Heywood's powers to present a summary of the arguments used in *Love*, and although the slow movement of the play is due in part to repeated retrogressions, no single recapitulation is possible.

In the *Four PP.* the Pardoner's recapitulation of the claims and arguments of the Palmer, the Pardoner, and the Potycary is quite carefully done and is not at all unlike the rehearsal in Cap. 23 of the *Spider and the Flie*. It occurs at the close of the part song and serves to start the debate again.

At first sight it might be imagined that a comparison of the place-names in the *Four PP.* with those in *Wether* would be of assistance in determining the question of authorship. Merry Report's list in *Wether* is, however, merely a list alliterating in threes:

At Taunton at Tiptree at Tottenham.

Essex names predominate, and it ends with the reference to the Heywood village. Otherwise the places are selected for alliteration only. In all its forty places it has only two shrines, Walsingham and Canterbury. In fact, Merry Report, the Vice, though he "seek strange strondes", is not a Palmer so much as a Puck.

The Palmer, on the other hand, tells of his pilgrimages to Rome, to Rhodes, to St. Mark's, to the Armenian Hills where he saw the Ark, to the great shrines of England and Wales and even to St. Patrick's Purgatory, but the author works for an amusing climax, and in this the methods of the two plays are alike.

Merry Report ends his list of travels with

Ynge Gyngiang Jayberd, Parish of Butsbery;

The Palmer's record closes :

At Crome at Wyldsdone and at Muswell
At Saynt Rycharde and at Saynt Roke
And at our lady that standeth in the oke.¹

The two lists, in fact, though unlike in kind, show the same feeling for climax and follow the same method in attaining it.

The *Four PP.* opens with seven quatrains rhyming alternately, and closes with two stanzas in rhyme royal; the rest of the play is in couplets. Love opens and closes in rhyme royal, but most of the play is in couplets.

The interludes have in common a trick of continuing the rhyme of a couplet over a quatrain or more of lines, sometimes in a rhyming bout, but often in soliloquy. Thus :

Potycary. Than tell me thys be ye perfyte in drynkyng
Pedler. Perfyte in drynkyng as may be wyshte by thynkyng
Potycary. Then after your drynkyng how fall ye to wynkyng
Pedler. Syr after drynkyng whyle the shot is tynkyng
Some hedes be swymmyng but myne wyl be synkyng
And upon drynkyng myne eyse wyll be pynkyng
For wynkyng to drynkyng is alway lynkyng.
(*Four PP.*, B ii recto.)

¹ The necessity for a rhyme accounts for the intrusion of St. Roc Amadour among these London shrines. Crome was on Crome Hill, near the Royal palace of Greenwich; St. Richard's was at St. Paul's; Muswell, Willesden, and our Lady of the Oak (Highgate Woods) were shrines in the Middlesex Forest whose booths and stalls were familiar to all Londoners. These local shrines had a doubtful reputation. In 1531 one John Harris, draper, said they were as bad as "Stew-side," and had to abjure his charge. In 1538, however, Cromwell had all the "notable images" destroyed at Chelsea "unto which were made any special pilgrimages and offerings . . . as the ladië of Willesden" (see *Lond. and Middlesex Arch. Trans.*, iv, 173, and Prickett's *Highgate*). The list of shrines in the Palmer's speech deserves further attention, but as it does not bear upon my general argument I will only mention that the shrine of Master John Shorne, who conjured the devil into a boot, was transferred to Windsor in 1478, where also the shrine of King Harry stood (see *Norf. Arch.*, ii, 280). I might add that offerings at three of the other shrines are mentioned in the Earl of Devon's accounts in 1518, viz. the Rood of St. Uncumber, Our Lady of Crome, and St. George of Southwark (R.O., Misc. Bks., T.R., 219).

Palmer. Then wolde some mayster perhappes clowte ye
But as for me ye nede nat doute ye
For I had lever be without ye
Then have suche besynesse about ye.

(*Four PP.*, C ii verso.)

There are twelve other well-marked cases in the play. In *Love* there are eight instances, but for comparison I select two :

No (ther) lover nor loved. Nowe god you good evyn mayster woodcock.

Lover loved. Cometh of rudeness or lewednesse that mock.

No lover nor loved. Come whereof it shall ye come of such stock,
That god you good evyn mayster woodcock.

(*Love*, B i recto.)

No lover nor loved. My harte mysgave me by god that bought me
That if she myst me where I thought she sought me
She sewer wolde be madde by love that she ought me
Wherin not love, but pity so wrought me
That to retourne anone I bethought me
And so returned tyll chaunce had brought me
To her chambre dore.

(*Love*, C i recto.)

There are similar cases in *Witty and Witless*, but none in *Gentleness and Nobility* if we except one instance in Part I and four in Part II of dissyllables rhyming on the suffix, e.g. "rulers, teachers, officers, executors", which is not the same thing. It should be mentioned that, with the exception of the Epilogue, *Gentleness and Nobility* is in couplets.

A curious mark of Heywood's exuberance appears in *Love*; it is less marked in *Witty and Witless*, it occurs in a modified form in the songs and is not found in *Wether*. It takes the form of a playful reiteration of a word which he worries and tosses as a puppy worries a rag.

Thus in *Love* :

Thus tyme out of tyme mystymeth my rate
For tyme to bring tyme to hope of any grace
That tyme tymeth no tyme in any tyme or place.

(A ii verso.)

No lover nor loved. Had I a ioyner with me ioyned ioyntly
 we ioyners shulde ioyne ioynt to ioynt quykly.
 (C iii recto.)

An instance from his song, "Ye be welcome evrychone" occurs in the first line :

When freends lyke freends / do freendly shewe unto ech other
 hye and low. (Add. MS. 15233).

and again in his song "Long have I bene a singing man" :

The mene is losse the mene is gayne
 In welth or in adversyte.
 The mene is helth the mene is payne
 The mene menyth allwayes equityee. (*Ibid.*)

Indeed, few of his songs or ballads are free from it altogether.
 It is interesting to find the same curiosity in the *Four PP.* :

Pardoner. (Margarye sat) turnynge of the spyt
 For many a spyt here hath she turned
 And many a spyt full hoth hath tosted
 Before the meate coude be halfe rosted.
 (D iv recto.)

Pedler. For yf ye had sayd ye had made fle
 Ten tampyons out of ten woimens tayles
 Ten tymes ten myle to ten castles or tayles
 And fyll ten ryvers ten tymes so depe
 As ten of that whiche your castel stones dyde kepe
 Or yf ys ten tymes had bodely
 Fet ten soules out of purgatory
 And ten times so many out of hell
 Yet by these ten bonnes I coude ryght well
 Ten tymes sooner all that have beleved
 Then the tenth part of that he hath meved.

Potycary. Two knaves before i lacketh. ii. knaves of fyve
 Then one and then one and both knaves alyve
 Then two and then two and thre at a cast
 Thou knave and thou knave and thou knave at laste
 Nay knave yf ye try me by nomber
 I wyll as knavyshly you accomber

Your mynde is all on your pryvy tythe
 For all in ten me thynketh your wit lythe
 Now ten tymes I beseche hym that hve syttes
 Thy wyfes. X. comafidementes may serch thy. V. wittes
 Then ten of my tordes in ten of thy teth
 And ten of thy nose whiche every man seth
 And twenty tymes ten this wyshe I wolde
 That thou haddest ben hanged at ten yere olde.
 (E i verso.)

The following passage is equally characteristic :

Palmer. Here were a hopper to hop for the ryng
 But syr thys gere goth nat by hoppyng.

Potycary. Syr in this hopynge I wyll hop so well
 That my tonge shall hop as well as my hele
 Upon whiche hoppyng I hope and nat doute it
 To hope so that ye shall hope without (it).
 (B iv verso and C i recto.)

As a point of construction it is interesting to compare the methods of introducing the part-songs in *Wether* and the *Four PP.*

Immediately after the rhyming passage given on p. 130 (drinking, winking, etc.) the singing passage in the *Four PP.* occurs.

Potycary. Then drynke and slepe ye can well do
 But yf ye were desyred therto
 I pray you tell me can you synge.

Pedler. Syr I have some syght in syngynge.

Potycary. Whatever my breast be, my voice is mete

Potycary. That answer sheweth you a ryght syngynge man
 (Here the Pedlar and Pardoner interrupt with a quibble.)

Potycary. Leve of thys curyosytie
 And who that lyst synge after me
 (Here they synge.)

Thys lyketh me so mot I the.

(B ii verso.)

In *Wether* the corresponding passage occurs in a dialogue between "Mery Report" and the "Gentylwoman":

M.R. How spend ye the nyght

G. In daunsynge and syngynge

Tyll mydnyght and then fall to slepynge

M.R. Why swete herte by your false fayth can ye syng

G. Nay nay but I love yt above all thynges

(I here omit five lines.)

M.R. Come on syrs but now let us synge lustily

(Here they synge.)

G. Syr this is well done I hertely thanke you

Ye have done me pleasure I make god avowe

Ones in a nyght I long for suche a fyt

For longe tyme have I ben brought up in it.

(*Wether*, C iv verso and D recto.)

In the *Four PP.* the talk leads from drinking and sleeping to singing, in *Wether* from dancing and sleeping to singing. In both cases there follows the question, "Can you sing?" Then comes the lead, "Come on syrs, let us synge lustily", or "who that lyst synge after me"; finally the approval, "This is well done", "This liketh me well".¹

As bearing on this question of single authorship, I would draw attention to the stage fooling of the Potycary in the *Four PP.* and the Vice in *Love*:

Potycary. By the masse lerne to make curtesy

Curtesy before and curtesy behynde hym

And then on eche syde.

(E ii verso.)

No lover nor loved. And nowe I am here before you

And nowe I am here behynd ye

And nowe we be here evyn both together

And now be we welcome evyn both hyther

Syns nowe ye fynde me here with curtsy I may

Byd you welcome hyther as I may say.

(C ii recto.)

¹ The song in *Fulgens and Lucres* is an essential part of the competition of A and B for the hand of the Maid. Medwall makes dramatic use of his song. Rastell introduces into the *Four Elements* a troupe of dancers to sing the song he prints.

Two other points may be added :

(a) References to St Anthony :

No lover nor loved. They shall have a beck by seynt Antony
But alas good maysters I crye you mercy.
(*Love*, C iii verso.)

Mery report. My lorde how now loke uppe lustely
Here is a derlinge come by saynt Antony.
(*Wether*, C iii recto.)

Potycary. Yes that I wyll by saynt Antony
And by the leve of thys company
Prove ye false knaves.
(*Four PP.*, A iii verso.)

Pardoner. but by saynt Antony
I wenę he hath sent you to muche all redy.
(*Four PP.*, C ii verso.)

Pardoner. and by saynt Antony
He smyled on me well favored.
(*Four PP.*, D iii verso.)

(b) "glyster" :

For at all tymys when suche thynges shall myster
my new hed shall geve myne olde taylor a glyster.
(*Wether*, B ii recto.)

That way perchaunce ye shall nat myster
To go to heven without a glyster.
(*Four PP.*, A iv recto.)

Yet dyd I take more payne about her
Then I wolde take with my owne syster
Syr at the last I gave her a glyster.
(*Four PP.*, D i recto.)

If I may assume that these illustrations of Heywood's tricks of style are sufficient to justify us in accepting Middleton's ascription of the play to him, one is inclined to think of him as the author of the two anonymous plays, the *Pardoner and Frere* and *Johan Johan*, although one misses in *Johan Johan* Heywood's mannerisms. Such tests, for instance, as I have applied in the case of the *Four PP.* have failed me in the case of *Johan Johan*.

On the other hand, this play conforms to the type of the group; it "makes notable work with the then clergy", and therein it departs from the French farce with which it has been connected. (K. Young, *Mod. Phil.*, 1904, ii).

In *Pernet qui va au vin* the lover is simply a "Cousin, un Amoureux". A further departure from the French brings it still closer into harmony with its group; *Johan Johan* ends in a scuffle like the *Pardoner and Frere* (and More's *Mery Jest*), whereas *Pernet* ends weakly in submission.

Pernet. C'est ung tres povre passetemps
De chauffer (la) cire quant on digne.
Regardez; elle est plus molle que laine.
En la chauffant rien n'aqu-este.

Le Cousin. Conclus et conquete;
Avec la femme je banqueste.
Combien que je ne sois le sire
Et son mary chauffe la cire.
(Finis.)

The isolation of the trilogy in the early Tudor drama is a remarkable fact. No other interludes handle its themes, and, indeed, one might extend the field and say that there is nothing of kindred subject in early Tudor verse.

One outstanding exception, however, is to be noted. More's *Mery Jest*, which, according to William Rastell, was written in his youth, is quite in the spirit of the *Pardoner and Frere*.

There are, of course, rude tales of wanton friars and their kind in the 100 *Mery Tales* printed by John Rastell, and the similar "jest books" that W. C. Hazlitt collected and reprinted. The poem of More's youth stands, however, with the trilogy in isolation; left, as it were, by the receding tide of mediaevalism, but caught and refloated in the counterflow of the Renaissance. And just as William Rastell saved the *Mery Jest*, so too it was he who printed the *Pardoner and Frere* and *Johan Johan*.

ENGLISH SECULAR AND ROMANTIC DRAMA 137

The metre of More's verses is the well-known metre of the *Nut Brown Maid*, a stanza said by Schipper, however, to be uncommon in Middle English. He only cites a poem of Dunbar's, and alludes to continental models in Low Latin, Provençal, and Old French (*Hist. Eng. Vers.*, par. 244).

More's *Mery Jest* is of a "sergeant-at-law who would learn to play the frere". To outwit a merchant he assumes a disguise :

and for a day	}	he changed with a frere
all his array		

But the merchant turned the tables on his visitor :

and with his fist	}	he gave hym such a blow
upon the lyst		
That backward downe	}	the frere is overthrow
Almost in sowne		

The Wife and Maid then enter to complete the discomfiture. They pull the friar's hood down about his face and

while he was blynde	}	lent hym, leyd on the flore,
The wench behynde		
Many a soule	}	with a great batyldore
about the noule		

The conclusion points to the poem having been written as a prologue or welcome to a feast or entertainment to be used in the manner of an interlude :

Now masters all	}	Ende there as I began
Here now I shall		
In any wise	}	and counsayle every man
I would avyse		
His own craft use	}	and lyghtly let them gone
All newe refuse		
Play not the frere	}	and welcome everych one
Now make good cheere		

The question arises whether More's influence may not be seen in the *Pardoner and Frere*; for besides their affinity of theme, the play and the poem have this interesting

feature in common, that on two occasions the dialogue of the play drops into the metre of More's poems :

<i>Frere.</i> But first of all	}	to God my prayer make
Now here I shall		
To give ye grace	}	His doctrine for to take.
All in this place		

Here the Frere falls on his knees, and the Pardoner entering, addresses the audience and concludes :

And because ye	}	give credence at the full
Shall unto me		
Mine auctoritee	}	Lo ! here the Pope's bull.
Now shall ye see		

Heywood's use of the same stanza in a ballad printed as a broadsheet by Allde (N.D.), and entitled *A Ballad against Detraction*, strikes one as being quite different in manner :

Lyke as a knyfe	}	so sklandre some hath slayne
Berevyth life		
And both oncc doone	}	may be undoone agayne.
Both alike soone		

I have perhaps said enough to show that More's influence on Heywood is more demonstrable than it might appear to be. The trilogy as a group is characterized by its spirit of anti-clerical banter. One of its plays, the *Four PP.*, almost certainly contains Heywood's work, and it is generally accepted that it is closely related to the *Pardoner and Frere* (see Hillebrand, *Mod. Phil.*, Sept. 1915). This latter play, however, and indeed the whole group, are more closely related to what is known to be More's work than to Heywood's other work. I would suggest, therefore, that, although the common spirit of the three plays may point to single authorship, this is due rather to the intimate relationship of Heywood and More ; and that when More introduced his young protégé to Court in 1519, Heywood's early success was in no small measure due to this intimacy.

It should be remembered in this connection that Pitseus includes in his list of More's works

Comoediae iuveniles Lib. un.

and Erasmus told von Hutton that as a young man More wrote and took part in *Comoediolas*.

It would be natural to omit the author's name from the *Pardoner and Frere* and *Johan Johan*, if they were More's rather than Heywood's, yet it would also be natural that they should issue from Wm. Rastell's press along with Heywood's two plays.

More resigned the Chancellorship in 1532, and in April 1534 was sent to the Tower. The *Pardoner and Frere* is dated 8th April, 1533, and *Johan Johan*¹ 2nd February, 1533. These dates suggest a comparison with the circumstances of the publication of the *Four PP*.

In the first part of this chapter the history of the Canon was traced, and the plays attributed to John Heywood by a long tradition were found to arrange themselves in two trilogies. It was shown that there was no doubt as to the authorship of *Wether*, *Love*, and *Witty and Witless*, but the evidence supporting the traditional ascription to Heywood of the other trilogy, *Four PP*., *Pardoner and Frere*, and *Johan Johan*, was found to be less convincing. Much depended on the degree of assurance with which the *Four PP*. might be claimed for the dramatist. This question was discussed in some detail, and it was found that the claim for Heywood rested on good evidence, both external and internal. It was suggested, however, that the *Four PP*. trilogy bore the marks of the influence of the dramatist's older friend and patron, Sir Thomas More. I next propose to consider the problem of the date of the *Four PP*. and the bearing of this on the question of authorship.

It will be remembered by readers of the play that the Potycary refers in the story of his wonderful cure to the loss of the good ship *Regent*.

¹ For the question of dating see p. 81.

Potycary. This tampion flew X longe myle levell
 To a fayre castell of lyme and stone
 For strength I know not suche a one
 Whiche stode upon an hyll full hye
 At fote wherof a ryver ranne bye
 So depe tyll chaunce had it forbyden
 Well myght the regent there have ryden

In August 1512 Wolsey wrote to Fox that there had been a severe sea fight near Brest on Tuesday fortnight, where the *Regent* captured the great carrick of Brest, but, both, fouling, were burnt and most part of the crews with them. Sir Thomas Knyvet and Sir John Carewe had perished. He begs he will keep the news secret. The French fleet had fled to Brest. Sir Edward Howard had vowed "that he will never see the king in the face till he has avenged the death of the noble and valiant knight, Sir Thomas Knyvet" (B.M., Titus B., i, 99).

The *Regent*¹ was probably the biggest ship added by Henry VII to the Navy. She was of 1,000 tons, was built in 1487, and was well known to Londoners (*Navy Records*, vol. 8). A drawing in colours showing the two ships aflame forms the frontispiece of *Navy Records*, vol. 10. Out of her crew of over 700 only 180 escaped, and but six from the carrick, the *Cordelière*.

We are told that Henry seemed unperturbed by the result of the "drowning" of the carrick, and rewarded the messenger with £10. This indication of the King's character is significant. He was twenty-one.

The impression made by the tragic end of the *Regent* may be gathered from contemporary chronicles.

The *Chronicle of the Grey Friars*, under the year 1512-13, records :

This year the king went to France and the carrick and the Regent burnt and this year was the Scottish Field and the king "tane and slayne".

¹ In Hickscorner, which was probably written before the disaster, the *Regent* heads the list of ships.

But as late as 1520 the loss of the *Regent* was greatly exciting the interest of More and his friends, and in dating the play this has importance.¹

It has been argued that the "relics" passages in the *Four PP.* are developed from those in the *Pardoner and Frere*,² and with this conclusion there is probably considerable agreement. Assuming, then, that this is so, the allusion to Leo X (1513-21) in the latter play calls for attention. It is true that the playful exaggeration of the passage reduces its value. We have, indeed, quite a jumble of Popes: Julius the Sixth has yet to exist, Boniface the Ninth belonged to the fourteenth century, whilst there is an Innocent and a second Julius whom we cannot identify.

It is, however, with the express sanction of Leo X that the Pardoner opens his appeal to his congregation, commissioned by him to grant indulgences to all who shall give alms for the restoration of the chapel of "sweet St. Leonard, that late by fire was destroyed and marred".³

It was in 1517 that Leo X had authorized the famous sale of indulgences to all who would contribute money to the building of St. Peter's. The farcical satire, therefore, of the *Pardoner and Frere* would be received with full popular appreciation if the play appeared when Pope Leo's pardoners were becoming troublesome. The play might be placed, on such assumption, about 1519.

¹ The reference to the loss of the Regent in the *Four PP.* is capable of a pretty explanation if my suggestion of More's interest in the play is sound. The vessel went down in 1512, some eight years before the play is thought to have been written. Can this date (1520) be reconciled with reference to a disaster then no longer of recent occurrence? To More and his friends the disaster had not been allowed to pass out of mind. German de Brie, Secretary to the French Queen, had written a poem eulogizing the French for their part in the disaster, and More had retorted in several epigrams which appeared in a collected edition in 1518. Annoyed by this, de Brie replied by a critical exposure of alleged lapses in More's *Epigrammata*, and More retorted in an *Epistola ad Germanum Brsium* in 1520. Both flyers were friends of Erasmus, who interposed in 1520 and stopped the feud.

² Hillebrand (*Mod. Phil.*, September 1915).

³ Some searcher more fortunate than I may perhaps solve the problem of the date of the *Pardoner and Frere* by finding a record of the burning of St. Leonard's Chapel.

The sale of indulgences by Leo X had, however, excited opposition of a much more significant character in Germany. On the eve of All Saints, 1517, Luther nailed his ninety-five theses against indulgences on the door of the palace church at Wittenburg. But Luther's revolt took time to spread, and it was not until 1521 that Henry VIII felt called upon to register a regal protest and publish his *Defence of the Seven Sacraments*.

It is obvious, therefore, that, should a Court dramatist produce a "Pardoner" play while the King was in this very orthodox mood, he would define his position with considerable clearness, and leave his audience in no doubt as to the correctness of his attitude.

Now this is just what we find in the elaborate and lengthy conclusion of the *Four PP*.

The Pedlar sums up the whole matter at issue in a speech beginning :

Now be ye all evyn as ye begoon
No man hath loste nor no man hath woon.

First, addressing the Palmer, he declares that he who "for love of Christ" uses to go on pilgrimage spends his time well. The motive is all. To the Pardoner he says that he is working to the same end as the Palmer :

If ye procure thus indulgence
Unto your neyghbours charytably
For love of them is god onely.

And so it is with all who "by ayde of goddes grace" follow any kind of virtue, whether "great almyse for to gyve", or "in wyifull poverté to lyve", or to make "hye wayes and suche other workes", or "to mayntayne prestes and clarkes to synge and praye for soules departed". Though these virtues be of "sundry kyndes", yet if men are moved by "love and dred obediently" to work "unyformely in them, they are pleasaunt to God and thankful to man". But if by "grace of the Holy Goste" a man be moved speci-

ally to one virtue let him beware of "despising other", for he perceives that to be the sin of the Palmer and the Pardoner.

One kynde of vertue to dyspyse another
Is like as the syster myght hange the brother.

Here the Potycary rejoices that he has escaped such perils by "using no vertues at all", wherefore he is rebuked by the Pedlar, who, however, sees in the truthfulness of his remark "one syne of vertue". Yet he adds significantly,

I dare well reporte
Ye are well beloved of all thys sorte
By your raylynge here openly
At pardons ond relyques so leudly.

The Potycary retorts :

In that I thynke my faute not great
For all that he hath I knowe conterfete.

In a passage quite in Heywood's style, the Pedlar replies that he is not constrained to reverence what he knows to be feigned.

But where ye dout the truthe nat knowynge
Bilevyng the beste good may be growynge
In iudgyng the beste no harme at the leste
In iudgyng the worste no good at the beste

But as the churche doth iudge or take them
So do ye receyve or forsake them
And so be sure ye can nat erre
But may be a fruitfull follower.

The three disputants acknowledge the excellence of the Pedlar's counsel and promise amendment, and Heywood then closes the play in two stanzas of rhyme royal invoking all

To beleve hys churche faste and faythfully
So that we may accordynge to hys promyse
Be kepte out of errour in any wyse.

And all that hath scapet us here by neglygence
We clerely revoke and forsake it
To pass the tyme in thys without offence
Was the cause why the maker dyd make it
And so we humbly beseche you to take it
Besechynge our lorde to prosper you all
In the fayth of hys church universall.

I have quoted extensively here because it seems to me worth suggesting that the dramatist is definitely asserting a position in harmony with that of the "Defender of the Faith". I would therefore not feel any necessity to place the *Four PP.* earlier than the date of Henry's book. I think, however, that it was probably not separated very far from the *Pardoner and Frere* and would assign it to 1520-2.

I have already dealt with Dr. Wallace's summary of the life of Heywood. In his treatment of the Heywood Canon he boldly eliminates the *Four PP.*, the *Pardoner and Frere*, and *Johan Johan*, which he equally boldly attributes to the "Octavian Shakespeare", Wm. Cornyshe, the Master of the Chapel children. Cornyshe, he holds, framed the "new style drama" in the "first plastic years of Henry VIII, and that drama was a square break from the past". He repudiates the notion that Heywood was a "link", a "transition", or "a bridge". There is in his view no bridge, but a square break, and Cornyshe is the great originator.

Nothing is known of Cornyshe's writings except his lament entitled *Truth and Information* and some ditties which are quite short. *Truth and Information*, written in prison, deals with his sorrows in the abstract terms familiar in the Moral Interludes. Little as this may imply, it is nevertheless just from those abstractions that he is supposed to have made his "square break". In this connection it is significant to note that in none of his works does Heywood revert to this convention, except in the play of *Wether*, where we have the Vice, Mery Report. For instance, *Witty and Witless*

is the theme of a debate, whereas *Wit and Science* in Redford's play are characters, personified abstractions. The style of *Truth and Information* hardly encourages one to think that its author could command the less awkward manner of the *Four PP.*, much less the easy movement of *Gentleness and Nobility*.

Enformacione emboldyde of the monacorde
from consonantes to concordes, he musyde hys mastry.
I assayde the musykes bothe knyght and lorde,
but none wold speke : the sound-borde was to hy :
then kept I the playne keys that marde alle my melody ;
Enformacion drave a crochet that passyde alle my song
with proporcio parforche drevon on to longe.

He is not always so enigmatic ; the last stanza, the twentieth, ends very happily :

I kepe be rownd and he be square
the one ys be mole and the othre be quarry
Yf I myght make tryall, as I cold and dare
I shold shew why theys ii kyndes do vary ;
but God knowethe alle ; so doth kyng Hary,
for yf he dyd, then change sholde thys my song,
Pyte for pacyens and conscyens for wrong.
Me nysswhete parabolam f (ecit).
(Royal, 18. D. 2., f. 163.)

The song is prefaced as follows :

In the Flete maade be me William Cornyssh e otherwise called
Nysshewhete, Chapelman . . . Henry VII, his reign the XIX
yere (1502) the month of July. A treatise betwene Trowth and
Enformacion. A.B. of E. how C. for T. was P. in P. (A Ballad
of Empson ; how Cornyssh e for Treason was Put in Prison.)
(See Edn. Halliwell Phillips.)

This poem does not appear to be at all in the manner of any of the six plays that Dr. Wallace claims for Cornyshe. Its curious and fanciful metaphor is nowhere reflected in them. On the other hand, whatever is curious in Heywood, his verbal repetitions and rhyming vagaries, we find in the

Four PP. If the plays were Cornyshe's we might reasonably expect to find in them examples of his quaint subtleties. And it may be noted that while Bale assigns the *Four PP.* to Heywood and mentions his other works, he nowhere refers to Cornyshe, a notable omission if he were as significant a writer as Dr. Wallace claims.

Nevertheless, the problem of the Heywood Canon is the question whether Heywood is the author of the *Four PP.* trilogy; and in determining it due weight should be given to the fact that Middleton printed it as his. The burden of my argument has been to show that the evidence supports this attribution. Once that point is settled, it is natural to attribute to him also the *Pardoner and Frere*. Most readers have probably felt that in one play use is made of the other. The case of *Johan Johan* is uncertain. The play does not contain the common characteristics of Heywood's undoubted work. Yet I have shown that where this play departs from its French analogue it is in a direction that we might expect in Heywood's treatment. Two of the three plays belong, I believe, to the early years of Heywood's Court service, and I have suggested that he entered that service under the aegis of More. I have noted the similarity in theme, form and spirit that exists between the trilogy and More's verses on "How the Sergeant would play the Friar"; and I have suggested that Heywood's early successes at Court were due in no small measure to his intimacy with More.

It is not possible, on the evidence available, to claim the plays for More, but I accept Mr. A. W. Pollard's summary of my position :

"Mr Reed would clearly be pleased if he could prove that the two farces were written by More himself, but he is content to regard them as Heywood's, written under More's influence, and perhaps such a mixt authorship is the best solution."

Taking these eleven plays, the two of Medwall's, Rastell's three, and these six which are assigned to Heywood, as a group, there is a really homogeneous development in them, and More, who may have acted in *Fulgens and Lucre*s and inspired *Johan*

ENGLISH SECULAR AND ROMANTIC DRAMA 147

Johan and the *Pardoner and Frere* is surely, as Mr. Reed contends, the central figure which unites them.

(*English Miracle Plays*, Seventh Edition, New
Section on the Interlude, 1923.)

My next chapter deals with some aspects of the lighter side of the life of the More household that are not without interest and value for the purposes of my argument.

CHAPTER VI

THE TWELVE MERRY JESTS OF THE WIDOW EDYTH AND THE HOUSEHOLD OF MORE

*Twelve mery gestys of one called Edyth, the lyeing wydow
whyche still lyveth. Emprynted at London at the
sygne of the mere-mayde at Pollisgate next to chepe-
syde by J. Rastell, 23 March MDXXV.*

IT is a mistake to look upon this entertaining work as belonging to the type of *facetiae* with which Hazlitt published it. It found a place in the third volume of his Shakespeare Jest Books, where its companion pieces are prose collections of miscellaneous anecdotes arranged without plan, after the manner of their prototype, *The Hundred Merry Tales*, which, like the *Wydow Edyth*, was, as we have seen, a production of John Rastell's press. At the time of its publication Walter Smyth, its author, was More's personal servant.

The Widow Edyth was the daughter of a yeoman of Exeter, John Hawkins, whom Herbert, greatly daring, assumed to be the printer of Pynson's edition of Palsgrave's *Lesclarcissement de la langue Francoyse* of 1530. The poem itself disqualifies Herbert's guess.¹ The good Edyth's father married thrice, his third wife, Edyth's mother, burying him after fifteen years of wedded life. Old Hawkins, therefore, did not live to witness his daughter's adventures, which were told in print in 1526, much less did he live to print a book himself in 1530.

¹ We might with equal reason accept Swift's ascription of his *Prophecies of Merlin*, unprinted at London by John Hawkins in 1533. See Herbert's *Ames*, 470 and 472 n.

His widow, having brought up the child not to

medle with anything
that sowned unto good huswyfry
but aye study to forge and lye,

married her to one Thomas Ellys, and then disappeared from the story, leaving her daughter a piece of advice that she did not fail to follow :

Daughter, make merry, whiles thou may,
For this world wyll not last alway.

Edyth tired of Thomas and eloped with a servant of the Earl of Wiltshire, by whom she had a child that died " when it was but a lad ", and in due time she was " cast up ". At Andover she told her sorrows to a gentleman to whom she promised the wardship of a fictitious daughter, a much-injured heiress. He consulted Sir Thomas Dennis, who advised him to fetch the girl; but by the time he and the widow had reached Wandsworth her wiles had become too apparent, and the first " jest " closes.

From Wandsworth she went to Kew, where the Lord Chamberlain lay, and there she victimized her poor host of the house thatched with reed, which she undertook to replace with a lead roof. Here she won a temporary suitor in young Thomas, the Lord Chamberlain's barber-surgeon.

So long they were dallying both day and night,
Tyll eche had other their trouth yplyght,
Whiche was the same day, as I hard say,
That the thatch of the house was pulled away.

The third jest finds her in Suffolk boasting of property that lay at Thetford, on the strength of which she raises money and finds free quarters until Mr. Justice Edmund Lee locks her up for six months in the jail of Bury St. Edmunds.

Her fourth adventure is one of her most successful. After deceiving Master Guy and his sister at Stratford-at-Bowe, she sheltered awhile at Barking Nunnery, but finding

"her profyt did not rest so neare the Nunnes nose", she repaired to a hostelry at London Stone. Here she proclaimed her determination to forsake worldly wealth and take "the mantle and ring". She must needs have a confessor, and is recommended to a Doctor of Divinity of the Hospital of St. Thomas of Acre,¹

A good publysher of God's word
In Church and Towne, and sitting at the Bord.

The doctor is almost worthy of a place in the company of Chaucer's "nyne and twentie".

She kneeled ther adown on her knees devoutly
And told her confessour many a great lye.

Moreover, she promised him a scarlet gown and hood and a nest of goblets,

So that he wolde, while she was in towne,
Walk with her up and downe,
And lay out money alway as she neede.

It cost the doctor five nobles, "and then anon she stale away by night".

Her next victims were Master Frank of Fulham and his wife Annes, who overtook her in distress while they were on their way to offer at the shrine of St. Thomas of Canterbury. She had been robbed and wronged, and was on the point of casting herself into the water. They carried her back to London and entrusted her to a scrivener, Master Rowse. Her property was at Kingston, she said. The scrivener was to make her will. Meanwhile, clad in Mistress Rowse's gown and accompanied by Frank, she made an offering at St. Saviour's, Southwark. But the scrivener had sent to Kingston and learnt the truth, so Edyth was put out that night, by the "back side" "without gown or kyrtle". As for Master Frank,

His money was gone and spent indeed
The blessed Marter quit him his mede.

¹ Afterwards the Mercer's Chapel.

The sixth jest finds the widow in good form. Her property now lay at Windsor, and thither she went, with the servant of a draper who had fitted her out sumptuously. The servant brings back, not money, but a letter referring the good draper to one Master Rowse, scrivener, who will deliver to him a nest of goblets, a dozen spoons, and a standing cup.

Neiber, quod ye Scriuener, let us drynk some ale
And speke no more in this matter for shame,
For ye are begyled and I am the same.

Her next victim was a servant of Sir Thomas Neville, of Tooting :

She promised hym to be his spouse
And desired hym to ryde to her house.

She has a daughter under the guardianship of Goodman Ross, of Sevenoaks, who dwells near the church, a carpet-maker. So to Sevenoaks they ride, but when they arrive, she sends him to St. Mary Cray for a casket that lay in her lodging there. He had lent her money and "payed for her cost I cannot tell what", but there was no widow at "Senock" when he got back.

The household of Bishop Fisher of Rochester provided her with her next dupe, a young serving-man of the episcopal palace.

She promised him dale and downe
On that condition he wolde her wed.

He paid her board and kept her company, and their banns were called, but when the Bishop sent for her "to dyne with him and commen^{*} further", "then was she gone".

Her next attempt was upon the credulity of the Earl of Arundel, who sent five of his serving-men and a maid with her to bring her daughter, the heiress. This adventure ended in the widow being left stripped again of her gown and kirtle by her disillusioned attendants. She lay in hiding for a while next door to Master Heron's, of Foots Cray, and

* Talk over or discuss the matter.

then, borrowing an outfit from a poor woman, hastened to Croydon, where she dwelt for a week with a cook, from whom she borrowed five shillings.

Then she came to Eltham the right way
Where she rested her three weekes and a day,
And did nothyng but ay enquere
Of gentlemen dwelling here and there.

At length she came to Battersea,

And on the next day after, she took a whery
And over Thames she was rowed ful mery.

At Chelsay was her arivall
Where she had best cheare of all
In the house of Syr Thomas More

At Eltham she sayd that she dyd dwell,
And of her substance there gan to tell :
Two wolsted lomes she had, by her fay,
And two mills that went night and day ;
A Beere brew house, in which every week once
Twenty quarters were brewed al at once ;
Fowre plowes she kept, the earth to cultiue,
And xv great knaues to help her to thiue
Seauen women servants ye wull to spin and carde ;
And to mylke the kyne abroad in the yarde.

There were three young serving-men in the household at the time who became suitors for the eligible Edyth : Thomas Croxton, Master Alington's man ; Thomas Arthur, Master Roper's man ; and Walter Smyth, the writer of the book, who was More's personal servant. Croxton was a man of great stature, an excellent fellow and Smyth's friend. Arthur was a man of charming manners and parts, whose suit had the active support of William Roper and his wife, Margaret. Smyth modestly says little of his own endowments.

Walter Smyth was this young man's name
One of her louers, and I might tell for shame.

MERRY JESTS OF THE WIDOW EDYTH 153

Things went merrily with the widow, and in her chamber

There was the revell and the gossupping :
The general bumming, as Marget Giggs sayd.

But Thomas Arthur rode with the widow to recover a debt at Brainford, and there he discovered the truth. Sunday was spent by the widow at Holywell Nunnery where a "sister was that day professed". Croxton provided groats for the offertory, and Smyth declared his love in the cloister. The rest of the episode, and how the merry Edyth's food and ale are medicated, and other things that ensued, must be left to the reader, who will learn in this tenth jest of the Household of Sir Thomas More things that are not suggested in Roper, but may not be the less true for all that.

But whether she be content or displeased
For the space of three weeks ye chaynes she wered
And after, in a day of a gayle delivery
She was discharged, being glad and mery.

"Nothing dismaid," she bethought her of My Lord Legate's place, where she asked for a certain knight who, she knew, was away. She told a tale of her wrongs and of her estate to three of Wolsey's yeomen named Shyre, John Clarke, and Thomas ap Richards, all of whom she "bears in hand" before she disappears.

And now we come to the last and longest of the jests. It takes us into the country of John Rastell² and the Mores between Barnet and St. Albans, and it is remarkable for the close acquaintance the writer shows with the by-ways and hostelries of the district. The victims are the landlord of the "Three Cups" in Holborn and his man, John Coates. The story is the old one of persecution, of property and wealth lying elsewhere, of money and clothing borrowed, of the discomfiture of mine host of the "Three Cups" and of the widow's escape. There is no meting out of retributive

² See p. 10.

justice in Smyth's conclusion ; he is too good a disciple of his master Chaucer to end on the wrong note :

So " Of these poses I make an ende
God saue the Wydow, where so euer she wende."

The author of this remarkable little work belonged to a class from which from the days of Widsith the Scop have sprung many entertainers and not a few of our writers. He was a servant in the house of a great man. In 1529, the year in which he became Lord Chancellor, More obtained for " Water " ¹ Smyth, who had been nine years his personal servant, the important office of Sword-Bearer to the Lord Mayor.² The ceremonial functions of this office and the uniform worn on State occasions have changed little. The Sword-Bearer was the first of the four esquires or gentlemen attendant upon the Lord Mayor,³ his fellows being the Common Crier, the Common Hunt, and the Water Bailiff. In *Roper's Life* there occurs a well-known anecdote of how the Water Bailiff of London, an old servant of More's, told his master of scandalous rumours that he had overheard. As the Water Bailiff at the time appears to have been Sebastian Hillary, who was from the Royal Household, I think that an error has occurred in Roper, and that the reference was to Water Smyth, not to the Water Bailiff.

That Smyth had literary tastes and capacity the poem shows, but we have remarkable confirmation of this in his Will : ⁴

To John More, his master's only son, he leaves his " Chauscer of Talles ⁵ and Boocas." ⁶

¹ He always spelt his name Water or Waterius, a form of Walter not uncommon.

² Letter Book O, f. 168b, Guildhall.

³ In the Privy Purse Expenses of Henry VIII, August 1532, occurs the entry: " Itm the same day paid to one water Smythe for bringing a leshe of greyhoundes to the kinges grace to Buckingham in rewarde. 7/6." (Ed. Nicholas, p. 242).

⁴ P.C.C. Wills, 8 Cromwell, 1538.

⁵ For *Chausceres Talles*.

⁶ Boccaccio.

To Clayton's wife, widow of Stephen Puncheon, he leaves his "Englishe Crownicke".

To the widow of a mercer he leaves his "Englishe Legent".

To another widow, his "Boke of Bartholome de Proprietatibus Rerum".

His interest in widows appears to have been persistent, and we must not fail to notice that he left ten shillings for his "fellows" of the Lord Mayor's household, "to drink".

Although the facts we have recovered are few, yet Walter Smyth emerges from the search a well-defined and interesting figure, a man of mirth, of healthy humour, faithfully attached to More, as all More's protégés were, and rewarded for faithful service by a master who had never neglected the interests of those who had come under his patronage. John Heywood, Dr. John Clement, Richard Hyrde, William Rastell, William Roper, More's secretary (Harris), and Richard Heywood of the King's Bench; these were all young men who came under the influence of the Chelsea household, and Smyth was More's man from 1520 to 1529, during the time when this influence was most operative.

In fact, the *Merry Jests* and its author yield a very distinct contribution to our knowledge of the More circle. It is good to feel the catholicity of mind and the saving sanity of natural humour that fostered the mingling of piety, scholarship, and unabashed free fun within the More household. It is quite remarkable to find that Berthelet had to explain to the Vicar-General why he had printed without permission Margaret Roper's *Treatise on the Paternoster*,¹ with Richard Hyrde's preface on the *Education of Women*,² and yet in the same year Margaret Roper appears in *The Wydow Edyth* as urging the suit of her man, Thomas Arthur, for the widow's hand. Of course, Rastell was not called

¹ Translated from Erasmus. (See Vicar-General's book *Foxford*, described on p. 160.)

² Dedicated to Marg. More's young kinswoman, Fraunces S., probably one of Richard Staverton's daughters, a niece of More's (p. 171).

to account for either the *Wydwow Edyth* or the *Hundred Merry Tales*.

I believe that not a little of More's hostility to Lutheranism arose out of his conviction of the danger to national sanity of the withering influence of the precisians upon the comic spirit; it would not be surprising to find that he approved of the caution to Berthelet, for we know that William Roper was said to be somewhat Lutheran in his young days. Yet nothing affects the evidence of Smyth's picture of the household; even Margaret Giggs, the scholarly wife of Wolsey's Greek lecturer, joined in the Rabelaisian discomfiture of the widow.

It may seem bold to claim that *The Wydwow Edyth* is a narrative of fact, but the author states that this is so, and we shall see that his claim is confirmed by tests.

"This lying widow," he says:

Late in England hath deceived many
Both men and women of every degree,
As wel of the Spiritual as temporaltie
Lordes, Knightes, and Gentlemen also
Yeman Groomes, . . .
Who so lest the matter for to here
No fayned Stories, but matters in deed
. . . here may ye reede.

We are, in fact, dealing with actual folk: The Earl of Wiltshire, brother of the Duke of Buckingham; Sir Thomas Dennis, Sheriff of Devon; the old Earl of Worcester; the Lord Chamberlain; Edmund Lee,¹ Justice of the Peace for Suffolk; John de Vere, Earl of Oxford; Sir Thomas Neville, Speaker of the House of Commons; John Fisher, Bishop of Rochester; Thomas, Earl of Arundel; Sir Thomas More; Wolsey; these require no investigation. It is when we come to look into the minor characters, the victims themselves, that confirmation becomes most striking. The Subsidy Rolls for 1523-4 for London² show that

¹ See *Bury Wills* (ed. Sd Tymms), Camden Soc., p. 125, 1535.

² R.O., Lay Subsidies, 251/15 B.

our Henry Rowse, scrivener, was assessed at £8 in Chepe Ward, St. Pancras Parish. The assessment for Wolsey's household for the same date (Subsidies $\frac{69}{9}$) actually shows that the three yeomen who were victimized by the widow, John Clerke, John Shere, and Thomas ap Richards, were called on to pay a contribution of twelve pence each. Considering how difficult it is to trace even comparatively important people in early Tudor days, this evidence of authenticity will be accepted as remarkable. Then we have Master Alington, who married Alice Middleton, More's step-daughter. There is Roper himself who directs in his will that he shall be buried "in the vawte at Chelsay wt the body of my dearelie beloved wief (whose soule oure Lord pardon) where my father in-lawe Sir Thomas More (whose sowle Jesus blesse) did mynd to be buried". Master Heron, of Foots Cray, may also have been of the More circle, for the Chancellor's daughter Ciceley married Giles Heron. Nor may we omit Margaret Giggs. Of the characters actually named in *The Wydow Edyth*, I have traced all but the widow's father John Hawkins, her husband Thomas Ellys, Master Guy and his sister of Stratford, John Frank and his wife of Fulham, Goodman Rosse of Sevenoaks, the two servants of Roper and Alington, and John Coates of Holborn. There is no doubt, however, that these are all equally real people, and we need not despair of tracing them. Similarly, the itinerary of the widow bears scrutiny. The story opens at Exeter in the household of old John Hawkins of the "Fleur de Lys." It moves to Andover, thence to Wandsworth, and so on to Kew. We next find the widow at Horinge Heath, near Bury St. Edmunds; thence she goes to Brandon-ferry and Bradfolde, and after a second visit to the gaol at Bury, she moves to Earls Colne in Essex, and so to Stratford at Bowe. From Barking she comes to London, where she beguiles the Doctor of Divinity, the scrivener Rowse, the Franks of Fulham, and the anonymous draper. And then in merry chase we follow her to Tooting, Sevenoaks,

Rochester, The Earl of Arundel's, Foots Cray, Croydon Battersea, Chelsea, Braynford, Holywell, Westminster "The Three Cups" at Holborn, Barnet, Hatfield Park "The Cross Keys" at St. Albans, and "The Checkers" at Hatfield, where she vanishes. Wherever she is, her property is elsewhere. From Andover her victim is led to Wands-worth. When in Suffolk she has property at Thetford, or Bradfolde. The Guys believe her tale of goods at Barking. The scrivener of St. Pancras sends to Kingston, the draper to Windsor, Sir Thomas Neville's man follows the false trail to Sevenoaks and St. Mary Cray, the More household hear of an establishment at Eltham and money at Brainford, the Lord Legate's man hears of wealth at Barking, and the governor of "The Three Cups" follows the trail to St. Albans.

And all for the widow's wealth! Yet Water Smyth was right to end on his own note. "God saue the widow whersoever she wend!" A material view of marriage held the field, and the widow traded on it. We notice that the young men had the support of their patrons; and when Margaret Roper and Bishop Fisher thought such suits laudable, we may accept them as approved in the current view. The wardship of the phantom daughter is not surprising. Wardships were a regular investment; but we are required to treat the question of marriage, with widows at least, on the same financial plane. Apparently the Tudor view was that a young man was a fool who lost a chance of marrying a wealthy widow.

In conclusion we may note that Smyth does not inflict on us a word of Latin, if we may except the humorous description of the birthmark under the widow's chin, which aroused the professional instincts of the Barber-Surgeon; a *noli me tangere*, he called it. There is a complete absence of any of the notes of pedantry or scholastic training that make so many early printed books a plague to the reader. On the other hand, there is not a word of natural description in the whole poem. It would be difficult to

cover elsewhere so much English ground as Smyth does without finding a single reference to bird, bush, or sky. He is never diverted for a moment from the course of his tale, except when he turns aside to exercise his gift of irony on the Doctor of Divinity. In the eighteenth century he might have been a lesser Fielding, with perhaps something of Fielding's interest in the police-court.

CHAPTER VII

THE REGULATION OF THE BOOK TRADE BEFORE THE PROCLAMATION OF 1538

IN dating the More circle plays (*Four PP.*, *Pardoner and Frere*, and *Johan Johan*) account must be taken of the definite change that took place about the year 1525 in the ecclesiastical atmosphere. It is safe to say that they must have been written in days that were care-free though critical, before the religious machinery which they ridicule had become the target of the Lutherans. They belong to an earlier phase exemplified in the *Encomium Moriae* of Erasmus, or More's letter on the Coventry friar. The evidence which I propose to set out in this chapter shows that this change of atmosphere may be dated with some definiteness. It has interest also for the light it throws on the publication of Margaret Roper's little treatise in the same year in which Walter Smyth's *XII Merry Jests* took the light. Further, it explains the circumstances in which More found it to be his duty to undertake the heavy task of his controversial work.

Richard Foxford, Vicar-General of the Bishop of London, gave his name to the first volume of the Consistorial records known as the Vicar-General's Books. *Foxford* covers the years 1520-38, and its contents are of the most miscellaneous character. In it we find wills, administrations, advowsons, presentations, sequestrations, and examinations as to abuses of pluralities; it records marriage licences, licences to consecrate, to preach, to collect alms, to exercise the art of surgery, and to practise midwifery. Among the marriage licences are those of the three daughters of Sir Thomas More. It

records the profession of an "Ankeresse" and the tragic death of a bellringer who was carried up on his rope, and it contains a large number of cases of clerical misdemeanours, amongst which is one of a curate who used a love charm which I am unable to decodify. Hidden away in this confusion of matter, all in ecclesiastical law Latin, ill-written and much abbreviated, we find between the years 1524 and 1528 five records touching the regulation of the London book trade.

The importance of the five cases rests on the fact that they carry us back to an earlier stage in the history of the regulation of the English trade than it has been possible hitherto to investigate. They show us in working the methods of the diocesan and ecclesiastical control that preceded that by the King and Privy Council, which may be said to have begun with the Royal Proclamation of 1529 and under which the Stationers' Company some twenty-six years later was to receive its Charter. The five cases illustrate the closing stages of this diocesan and ecclesiastical regulation. They show us the procedure of a system that had been set up originally to deal with Lollardy and was now being applied unsuccessfully to the problems of the Lutheran heresy.

This system seems to have been sanctioned by an Act of Parliament of 1410 known as the Statute "Ex Officio" in which were embodied the main provisions of the Provincial Constitutions drawn up under Archbishop Arundel at a Synod at Oxford in 1407. The terms of the Statute which apply to books are as follows :

That none hereafter do—make or write any book contrary to the catholic faith and determination of the Holy Church—and further that no man hereafter shall by any means favour—any such book maker or writer—and that all persons having any of the said books writings or schedules containing the said wicked doctrines and opinions shall within 40 days deliver them to the ordinary of the same place. And if any person do attempt any manner of thing contrary to the statute then the ordinary of the same place, in his own diocese by authority of

the same proclamation and Statute shall cause to be arrested and detained under safe custody the said person in this case defamed and evidently suspected. And that the said ordinary, by himself, or his Commissaries, proceed openly and judicially to all the effect of law against the said persons so arrested.

Thus it lay with the Bishop and his officials to deal by legal and open trial in the diocesan courts with the makers and writers of heretical books. This statute, however, which gave sanction to the legal proceedings that we shall presently consider was preceded and led up to by Arundel's *Provincial Constitutions*, two of which, Constitutions VI and VII, also deal with books.

Constitution VI provides for a censorship of books read at the Universities and elsewhere in schools, halls and hostels. The censors were to be appointed by the Universities subject to the discretion of the Archbishop, and their verdict of approval was expressly to be confirmed by him before the book was handed to the Stationer to be copied. Thus the Archbishop controlled the censorship of such books as were likely to propagate error, namely those that were "read", as we still say, at the Universities.

Constitution VII forbids the translation of the Scriptures and the reading of any such "book, libel, or treatise—set forth in the time of John Wyclif or since, or hereafter to be set out".

In his *Dialogue* of 1528 More refers to this Constitution as sanctioning the action then recently taken against Tyndale's translation.

The machinery of this system was designed to check the dissemination of heresy in the days before printing, and it is natural that the first methods adopted to meet the Lutherans should follow the lines laid down for the frustration of the Lollards.

Before I pass on, however, to the Lutheran period, I would draw attention to the existence of a pre-Lutheran Episcopal licence for a printed book issued in 1514 by the Bishop of London for a devotional work by one "wretched Symon,

the anker of London Wall". The colophon of Symon's *Treatise* is as follows :

Here endeth the Treatyse called the Fruyte of Redemption, whiche devoute Treatyse I Rycharde unworthy Bysschop of London have studyously radde and overseen, and the same approve as moche as in me is to be radde of the true Servantes of Swete Jhesu, to theyr grete Consolacyon and ghostly Comforte and to the meryte of the devoute Fader Compounder of the same Emprynted by Wynkyn de Worde, the yere of our Lord God MCCCCC and XIII.

If Rychard FitzJames, Bishop of London, had written an Introduction to "wretched" Symon's lucubrations he could not have done it more kindly. Moreover, it was not the act of an "unleisured licenser" or of a board of scrutineers. But things were about to suffer a rude change, how rude we may judge by comparing the colophon I have just quoted with the end of John Gough's *Dore of Holy Scripture* in 1540.

Perused by doctor Tayler and doctor Barons
Master Coton and Master Torner.

If we may judge by his will,^{*} John Gough was another veritable "wretched Symon", but he was denied the satisfaction of feeling that an imprimatur was a pat on the back.

FitzJames, however, was an aged man, and he belonged to a bygone day that liked anchorites but feared the New Learning. He was too old or too narrow to appreciate the liberalism of his Dean, John Colet, whom he would have made a heretic, said Tyndale, for translating the *Paternoster* into English, had not Warham helped him. The old times were passing rapidly, and though it fell to Tunstall, his successor, to bear the brunt of the battle, FitzJames lived long enough to see the opening of the great Lutheran struggle.

The call to action against the new heresy and its propagation by means of the printing press came in the

^{*} *Comm. of Lond. Wills*, Storey, 25th September, 1542.

seventeenth of the Kalends of July 1520, when Leo issued his famous Bull, with its command to seek out and to burn Lutheran books.

Moreover, says Leo X, because the aforesaid errors and many others are contained in the books or writings of the aforesaid Martin Luther, therefore we condemn—the said books with his teachings in what tongue soever they are found—willing and commanding under the virtue of holy obedience and incurring the penalties aforesaid, that no one—read, hold, print, publish or defend (the said books and errors) but straightway after the publishing hereof, they do burn or cause to be burned the said errors, by their ordinaries being diligently searched out, and solemnly presented in the sight of the whole clergy and people (under the penalty of the greater excommunication).

Probably no one showed greater energy in supporting the Papal Bull than Wolsey, and already, by March 1521, the Pope had written thanking him for his zeal against Luther and for forbidding the introduction of his books. Wolsey's campaign was not formally opened, however, until 12th May, when, says Arnold, "Luther was openly declared a heretic at Paul's Cross, and all his books burned". A sermon was preached by Bishop Fisher, which was afterwards printed by de Worde; Wolsey sat in great state, with the ambassadors of the Pope and the Emperor, Archbishop Warham and the Bishop of Durham at his feet. FitzJames was too old to be present. Meanwhile Henry VIII was engaged on the work that was to gain for him the title of "Defender of the Faith".

Trusting, apparently, to the effect of this demonstration and to the local diocesan action that would follow Proclamations sent out by the Bishops, no further steps were immediately taken by Wolsey of sufficient note to find their way into our records. The machinery that he had set in motion as Legate to render the Papal Bull effective was perhaps allowed time to produce its effects. Yet although for a while we hear of no further action, it is clear from his correspondence that he recognized that the snake was only scotched. Perhaps it was impolitic to be too rigorous just then, for

he had a delicate and urgent piece of business on hand in 1522-3, the collection of the great subsidy, the success of which depended in no small measure on the co-operation and good will of the City of London. Nevertheless, we have abundant evidence of the steady infiltration of Lutheran literature into London during this time, through the Hanse merchants, or Easterlings of the Steelyard, and further, that the City was not unsympathetic towards this traffic. There was an atmosphere of hostility in London towards the "curates", with whom the citizens had long been at feud on the question of tithes and offerings, a dispute which grew in bitterness, as we have seen, until it was ended by Royal Proclamation in 1536.

In 1523, while this was the state of things, Tunstall, now Bishop of London, was approached by William Tyndale, who sought a chaplaincy in his household that he might work at his translation of the New Testament. Failing, unfortunately, to find this asylum, he went abroad, where his influence, which might have been controlled by Tunstall, was added to that of the German Lutherans.

Within a year of Tyndale's departure, the subsidy having been safely harvested, the problem of the rapid growth of the distribution of foreign books in London was seriously taken up by Bishop Tunstall, who called together the booksellers of London on 12th October, 1524, and addressed to them the following warning recorded in *Foxford* :

I. TUNSTALL'S FIRST MONITION TO THE BOOKSELLERS.

(*Translated.*)

On 12th October, 1524, the booksellers named in the annexed schedule appeared before the Bishop in an upper room of his palace and he warned them against importing into England books printed in Germany or any other books whatever containing Lutheran heresies, or selling or parting with any such books already imported under pain of the law ; and further he warned them that should they import new books into England or buy books already imported, provided

that these were newly composed and made, they were not to sell or part with them unless first they showed them either to the Lord Cardinal, the Archbishop of Canterbury, the Bishop of London or the Bishop of Rochester.

Then follow the names of Nicholas Sutton and Thomas Kellys, a space being left for the names of the other booksellers, which unfortunately were not written in. The monition, it will be noted, says nothing of the licensing of books produced at home. Apparently no danger was apprehended from England that was not already adequately provided for. It lays down the law that Lutheran books produced abroad must be licensed.

The channels, however, through which imported books circulated ran underground, and the cases of offence against Tunstall's monition that came up before the Vicar-General were not of a very mischievous kind.

On 19th October, 1525, Wynkyn de Worde and John Gough were summoned to answer the charge of having published a translation made by Gough called *The Image of Love*.

II. THE CASE OF THE VICAR-GENERAL AGAINST WYNKYN DE WORDE, PRINTER.

On 19th December, 1525, in St. Paul's Cathedral before Master Wharton, assisted by Master John Olyuer there appeared the aforesaid Winandus who confessed that he was present when the Bishop of London enjoined and warned him and the other printers as is contained in the acts above ; and further he confessed that since the aforesaid monition he had printed a certain work in the vulgar tongue called *The Image of Love*, alleged to contain heresy, of which he said he sent sixty to the Nuns of Syon, and as many more he sold. John Gough, Printer, likewise of the City also appeared and confessed that he had translated the said book or work for the said Winandus to print, which he received, so he said, from a certain Edward Lockwood of the Parish of St. Brides ; and then the Vicar-General warned them that if they had

any of these books to sell not to sell or part with them, and that they should get back those already sold and have them brought in before Christmas; and that they should also have copies of this work that had been sold or sent to the Universities of Cambridge or Oxford, brought in before the Feast of the Epiphany; further he warned them to appear before him in Consistory on the third day after St. Hilary to reply to articles concerning suspicion of heresy, in the presence of Master Henry Hyckman and Dominus Robert Lay.

The offending book, *The Image of Love*, is described in a spirit of admiration in More's *Dialogue* (by the Messenger, who, it may be pointed out, plays the part of devil's advocate). To the Messenger, *The Image of Love*

seemed to be the work of some very virtuous man contemplative and well lerned. The good holy man layeth sore against these carved and painted Ymages . . . specially leste commendynge such as be most costely, curiously and most workemanly wrought. And he sheweth full well that ymages be but laymens bookes, and therefore that religious men . . . should let all such dede ymages passe and labour onely for the lyvely quicke ymage of love . . . In the time (of the Saintes of olde) thei had treen chalices and golden prestes and now have we golden chalices and treen prestes.—(*Workes*, p. 114.)

These were dangerous opinions with which to indoctrinate the nuns of Syon, and they savour not a little of the new precisian spirit. Therefore the printer and translator were "troubled", as Foxe would say, in the Bishop's court to answer to articles concerning suspicion of heresy; but of what happened to them on 15th January there is no record in *Foxford*.

The librarian of Stonyhurst College has very kindly described for me the copy of the *Ymage of Love* in the College Library. It has no reference to the translator, so that we may claim to have learnt for the first time from *Foxford* that the English is the rendering of Gough. More did not know who was the author of the work. The date is given in

the colophon as 7th October, 1525, two and a half months before the date of the case. It is clear, therefore, that the Stonyhurst copy is one of the offending ones.

The controversial method of dealing with questionable books has the defect of creating a demand for them, and it is not at all unlikely that More's lengthy reference in the *Dialogue* to the *Ymage of Love* prompted John Gough to republish it in the safer days of Thomas Cromwell from his new quarters at Paul's Gate, where from 1532-6 he occupied part of John Rastell's premises. A copy of this edition at the Bodleian adds to our knowledge of the book, and supplements More's account of it by stating that it was "compyled by John Ryckes, bachelor in divinite, an observant fryre". Wynkyn de Worde was again the printer, "for John Gough, dwellynge at Paul's Gate". It was, however, an entirely new reprint, and it was issued under Royal Privilege for seven years, that Gough now enjoyed for all his publications and that he may have obtained through Cromwell on Rastell's recommendation. My information about the Bodleian copy I owe to the late Mr. Gordon Duff, who added a note that the *Ymage of Love* is bound in the original stamped binding with three other tracts, one of which is the *Mirror of Life*, also a translation by Gough.

The stream of Lutheran books continued to flow into London in spite of Tunstall's inhibition, and Wolsey was again moved to take action. A letter from his protégé, John Longland, Bishop of Lincoln, dated 5th January, 1525-6, states that the writer had spoken to the King of Wolsey's plan to hold a second demonstration at Paul's Cross, when some notable clerk should preach against Luther and those who brought his books into England. A proclamation was to be issued and all who had copies were to bring them in by a certain day, and sentence of excommunication threatened against all who disobeyed, and those who were convicted were to be compelled to abjure or to be condemned to the flames. Besides which Wolsey would bind the merchants and stationers under recognizances

never to import forbidden books. The King approved the plan, especially as to recognizances, which, he added, many would fear more than excommunication, and he suggested that the Bishop of Rochester should preach the sermon. He referred, says Longland, to Wolsey's notable work against Luther.

Accordingly, the second great demonstration in force was made at Paul's Cross, and Fisher preached a second notable sermon on a wet Sunday in February 1525-6. The search mentioned by Longland had produced a number of books that were publicly burned in the rain, and Friar Barnes with two Easterlings and other heretics were abjured "for holding the heresies of Martyn Luther and for ye keypyng and retayning of his bokes agaynst the Ordinance of the Bulle of Pope Leo Tenthe".

The Vicar-General and his officials were now more than ordinarily alert, and on 12th March, a month after the solemn ceremony at Paul's Cross, Thomas Berthelet, of the Sign of the Lucrece in Fleet Street, was summoned to answer to the charges recorded as follows :

III. THE CASE FOR THE VICAR-GENERAL AGAINST THOMAS BARTLETT DWELLING AT THE SIGN OF THE LUCRECE IN FLEET STREET.

On 12th March, 1525-6, there appeared before the Vicar-General at his residence Thomas Bartlett, who acknowledged that he was present on 12th October in the palace of London before the Bishop when he enjoined, commanded and inhibited, etc., as more plainly appears in the acts recorded ; and further, being examined he said that since this injunction and inhibition aforesaid, he had printed a certain work called *The Treatise of the Paternoster*, translated as he said by the wife of Mr. Roper, also a certain sermon made by the Bishop of Rochester, in the vulgar tongue. And he said that he had printed this sermon not at the request or command of the said Bishop but of a certain chaplain of his. And then the Vicar-General bade him show him before Easter

the sermon made by the Bishop in his own writing or at least subscribed by him. He also printed another work by Erasmus called *Immensa Misericordia Dei*, translated into English by Jensian Harbart, a layman of the household of the Countess of Salisbury, as well as another work called the *Sayings of the Wise*, translated from the Latin into English by the respondent himself. Questioned then as to whether he showed or exhibited the said works to the Lord Cardinal, the Archbishop, or the Bishops of London or Rochester according to the requirements of the acts recorded above, he replied that he had not. And then the Vicar-General enjoined him that he should not hereafter sell any copies of the above works, and that he should not print any works without first exhibiting them before him in Consistory; and he warned him to appear on the third day after the feast of St. Monica to see further.

The three works of Erasmus, *The Paternoster*, *The Immense Mercy* and the *Dicta Sapientium* would certainly not have been forbidden by his friends, Tunstall, Fisher and Warham, although controversialists like Lee of York had troubled Erasmus by their attacks on his New Testament. As for Fisher's sermon, it was the one preached at Paul's Cross against Luther on the wet day in February.

Berthelet's fault, then, was a technical one: he had neglected to exhibit his copy; and the case points to a tightening of the hold which the Bishop's officials had put upon the printers.

Further, it is clear that the Court exercised the wider powers that it possessed, as I have suggested under the Constitutions of 1409, and that it was not limited by the terms of Tunstall's inhibition of 12th October, which dealt only with imported books. One of the works mentioned in this case is of more than ordinary interest, namely Margaret Roper's translation of Erasmus' *Treatise on the Paternoster*, and that quite independently of its importance as the work of More's daughter, done when she was only nine-

teen. The value of the book is greatly enhanced by the introduction contributed to it by a young scholar, Richard Hyrde, a tutor in the Chelsea household. This introduction, as Dr. Foster Watson has pointed out in his reprint of it in *Vives and the Renaissance Education of Women*, is the first modern English work on female education. It vindicates their right to inclusion in the circle of the humanists of the New Learning. Hyrde dedicated his introduction to his pupil, "the most studyous and virtuous yonge mayde Fraunces S.", who, we learn from her tutor, was kinswoman to Margaret and was being educated in the household of her uncle (More). But by a strange mishap, due to his desire to connect this document with Ascham's well-known eulogy of another "virtuous young maid", Lady Jane Gray, Dr. Watson assumes that the Frances S. is Frances Brandon, daughter of the Duke of Suffolk, mother of Lady Jane; and thus Henry VIII usurps the place of More as uncle. In this way he reaches a conclusion that I am loath to disturb when he writes: "This Introduction thus is connected with some of the most important women's names of the period—the More household; Henry VIII's household, including Catherine of Aragon and her daughter Mary; the Queen Widow Mary, her daughter Frances, and granddaughter Lady Jane Grey".

A young scholar of More's household would hardly address a princess of the blood as Frances S. and "mine own good gentle and fair Fraunces", and I suppose that Hyrde was addressing someone much nearer to his affections than Frances Brandon, namely a niece of More's and daughter of More's brother-in-law, Richard Staverton, Attorney of the Guildhall. We are not allowed, however, to follow out the romance of Richard Hyrde and Frances S. to a happy ending, because in 1528, when Hyrde accompanied Gardiner and Foxe to Italy as secretary and physician on an Embassy to the Pope, the party were overtaken by storm and had to ford a river in spate; Hyrde caught a chill and died, to the great grief of Gardiner and Foxe, who have left a record of their sense of loss in a letter to Wolsey.

There is a further point of no little interest arising out of Berthelet's early misadventure. There are copies at the Museum of the *Paternoster* and of Fisher's *Sermon*, which, though undated, are so early as to lead one to think they are the original and offending editions. They are alike in form; they were clearly produced at the same time; each has (on the title-page) one of the cuts used by de Worde, some of whose capitals also appear; and they employ the same words and spelling in the colophon, "Imprinted in London in flete streete, in the house of Thomas Berthelet nere to the Cundite at ye signe of Lucrece. *Cum privilegio a rege indulto*". They are, however, not the offending books, but I believe that they were issued very soon afterwards in a form that showed that Berthelet had been troubled by the Vicar-General unnecessarily. The *Paternoster* contains on the reverse of the title-page a full-page cut of Cardinal Wolsey's Arms, and the *Sermon* has an Introduction by Fisher stating his reasons for publishing, one reason being that "for y^e great noyse of y^e people within y^e churche of be Paules (Whare it was sayde) it myght not herde".

Nor was that all, for these are probably the first books issued by Berthelet *cum privilegio a rege indulto*. It is clear, therefore, that ample amends were made to the printer and the innocent authors. One can almost see in this the hand of Sir Thomas More, whose views on a single affront that humiliated at once his friends Fisher and Erasmus, his daughter and his young tutor Hyrde as well as an estimable young printer, would hardly remain inadequately expressed. Probably Dominus Geoffrey Wharton regretted the precipitancy of his action. It should be noted before we leave the Berthelet case that the record shows that Berthelet was established at the Sign of the Lucrece earlier than we knew, and that he was already a translator. It does not, however, bring us any nearer to the solution of the problem whether he is to be identified with the young printer Thomas Bercula or Barclay who, as I have pointed

out, was a servant to and accompanied John Rāstell on his voyage to the New Found Lands in 1517.

Wolsey's second demonstration at Paul's Cross against Lutheran books in February 1525-6 was defeated by the fact that there appeared in circulation almost at the same moment the first copies of Tyndale's *New Testament*, and these found their way into London in considerable numbers. Tunstall had therefore to take steps to meet this new menace to the spiritual unity of his diocese; and on 23rd October he issued a proclamation to his Archdeacons denouncing "the maintayners of Luther's sect", who have "craftely translated the New Testament", and calling in all copies under pain of excommunication and suspicion of heresy.

Two days later he called the printers together again and addressed to them the solemn warning recorded in *Foxford*.

IV. TUNSTALL'S SECOND MONITION TO THE BOOKSELLERS.

On 25th October, 1526, in a chapel within the house of the Bishop of Norwich near Charyng Crosse in the presence of Cuthbert, Lord Bishop of London and of one Matthew Greston, pro-registrar, there appeared the booksellers named below whom the Bishop warned, under pain of suspicion of heresy that they neither themselves nor through others sell, hold, give, or in any way part with any books containing Lutheran heresies or any other books conceived either in Latin or English, and that they neither print nor cause to be printed any other works whatever (except only works before approved by the Church) unless they first exhibit the same to the Lord Legate, the Archbishop of Canterbury, or the Bishop of London. And further he warned them under the aforesaid pains, that if they import into England any books or works redacted in Latin or the vulgar tongue printed or that may be printed hereafter across the seas, or being imported if they buy any such books, they shall not sell, hold, give or part with them in any way unless they first exhibit and show them really to the Bishops aforesaid.

Edward Isengold	Henry Pepwell	Robertus Redman
Thomas Kellyt	William Bonam	Ricus Banks
Wynkyn de Worde	Simon Coston	Johnes Collyns
Arnold	Ricus Falkes	Robert Copland
Cowerd	Thomas Petyt	Nich ^{as} Sutton
Mestres Andrew	Michael	Johnes Scott
Henricus Hermon	Hen ^{us} Dabb	Robertus Wyer
Johnes Rowse	Johnes Groot	Thomas Bartlett
Lodowic Sutton	Johes Toye	Johnes Reyns
Johnes Heron	Johes Gowghe	Mr. Rastell
	Ricus Pynson	

This inhibition is much more comprehensive than the earlier one in that it definitely brings under the control of the ecclesiastical licensors the printing and sale in London of all books not hitherto approved, whether of English or foreign origin.

The list of booksellers is, of course, valuable and interesting, and one only regrets the absence of a similar list in the Monition of 1524. It is to be noted, however, that there is no evidence that the members of the book trade were treated as Members of the Stationers' Company. We happen to know from Letter Book O of the Corporation Records that the Wardens of the Stationers' Company on 9th October, 1526, that is a fortnight earlier than this schedule, were Henry Pepwell and Lewis Sutton. These names are, however, in no way distinguished in our present list, the one occurring ninth, the other eleventh in the thirty-one names. It will be noticed that there was one woman present, Mestres Andrew, perhaps the mother or aunt of Laurence Andrew, who ran away owing £20 to John Rastell for printing stuff, and left his aunt to settle the matter. It may also be noted that Rastell, who prosecuted the aunt, is distinguished as Master Rastell, being a lawyer, and that he has an added dignity from his position at the foot of the bill.

There is only one recorded prosecution under the new monition, and it occurred almost a year afterwards.

V. THE CASE OF THE VICAR-GENERAL AGAINST ROBERT WYER, PRINTER.

On the same day (7th September, 1527) there appeared before Mr. Wharton, Vicar-General, in St. Paul's Cathedral, Robert Wyer, Printer, who confessed that he had been warned by the Bishop of London that he should not print any work, particularly of Holy Writ, nor sell the same under the penalty contained in the monition, and that since the monition in contempt of the same (*in ridiculum eiusdem*), he had caused to be translated into the vulgar tongue *Symbolum Apostolicum*, containing many errors and that he also printed it, and the Vicar-General warned him under pain of suspicion of heresy to appear before him on the following Monday to exhibit all and every such book remaining in his possession, and that he should do his diligence to return to the Vicar-General the rest sold by him. He appeared on the following Monday and exhibited in the presence of the Vicar-General, twenty-nine books containing the said *Symbolum* which he left at the Registry and the Vicar-General appointed that he should appear before the Bishop of London after his arrival in England to hear his will upon the premises.

I have not been able to trace Wyer's *Symbolum Apostolicum*. The Treatise by Erasmus on the Apostles' Creed, written for Thomas, Earl of Wiltshire, bears a later date (1533) in the preface. Further there may be doubt as to the meaning of *in ridiculum eiusdem*. Does it mean that Wyer published a parody, or simply that he had acted contemptuously in disregarding the demands of the monition? I think it bears the latter meaning, for, if it had been a work intended to raise laughter, the court would not have described it as translated and "containing many errors".

Wyer's is the last of the five cases recorded in *Foxford*, and so far as I have examined it there are no further references to booksellers in the Vicar-General's books. Wolsey's days of power were drawing to a close. His methods

of checking the propagation of heresy had failed. The question of the Divorce was arising and the King had personal reasons for bringing the control of the press within the province of his Privy Council. His remark to Longland of Lincoln that the Stationers would think more seriously of recognizances than of a threat of excommunication shows his mind fairly accurately. Hence we find that the next Proclamation dealing with books came from the King in 1529, from which point the early history of the regulation of the book trade has been traced by Mr. A. W. Pollard in the Sandars Lecture which forms the opening chapter of his *Shakespeare's Fight with the Pirates*.

Nothing more clearly shows the triumph of the heretical writers than the licence issued by Tunstall to his friend More in 1527, permitting him to have heretical books and even ballads or trifles, "nugas", in order that he might reply to and refute them. It was a confession of the defeat of the repressive methods. In response to this invitation More wrote his *Dialogue*, and so entered upon the period of controversy which was to occupy henceforth so much of the precious time that a busy man steals from business and that others call leisure. For a full appreciation of the struggle that this paper has dealt with, More's *Dialogue* is an indispensable book. He wrote it before he was Chancellor and therefore before it became his duty, as it had been Wolsey's, "to arrest heretics and prevent them from poisoning the public with seditious and revolutionary libels." But More's *Dialogue* is not a very accessible book, and it is not creditable that so entertaining and important a work should be closed to those who are not within reach of our greater libraries.

In considering these earlier instances of disciplinary action against London booksellers it is natural to ask what protection, if any, was afforded to them if they printed or sold their books *cum privilegio regis*.

The answer may be given at once: the royal privilege did not carry with it any assurance that the contents of the

books were innocent. It was a grant of monopoly, and any enquiry into its origin and development belongs to the history of monopolies. It protected a bookseller against competition or piracy for a terms of years, by giving him exclusive rights in his own publications.

Privileges, however, were of two distinct kinds. There was the privilege granted for a single work, and there was the inclusive or comprehensive privilege granted to a printer or bookseller for all his original work.

As examples of the first kind of privilege, we may instance Linacre's *Progymnasmata*, printed by John Rastell, or Palsgrave's *L'Eclaircissement*, printed by Pynson. These were authors' privileges or copyright intended to secure desirable correctness as in the case of school grammars, or to compensate an author for such extraordinary labours as are eulogized in the terms of Palsgrave's patent.

Linacre's book is the only English instance of this kind of protection that I have met with before 1518. I believe it was one of Rastell's earliest books, and that we can date it before his voyage of 1517.

The colophon runs :

Emprynted in London on y^e Sowth syde of Poulys by John Rastell with y^e privylege of our most suverayn lord kyng Henry the VIII grauntyd to the compyler therof that no man in thys hys realme sell none but such as the same compyler makyth prynted for y^e space of II yeare.

The prefatory verses by Lilly point to the existence of another version vitiated by errors and published anonymously, a pirated or stolen edition, in fact.

The first royal privilege claimed by John Rastell himself was also an author's privilege, but like Caxton, the author did his own printing. It is for a single book, the *Abbreviation of the Statutes*, "Translatyd out of French . . . by John Rastell, and imprinted by the same John the XXV day of October, the XI yere . . . of Henry VIII (1519) with the pryvylege of our souerein lord grauntyd to the sayd John that no nother imprint ageyn thys seid work nor no nother

elliswhere printyd of them sell wythin thys realme duryng the space of VII yeres next after this furst impression ”.

Pynson's first three privileged books appear to be :

1. A *Sermon* by Pace printed in November, 1518, “ cum privilegio a rege indulto ne quis hanc orationem intra biennium . . . imprimat ”.

2. A *Sermon in praise of Matrimony* by Tunstall of the same month and year bearing the same imprint.

3. Wm. Horman's *Vulgaria* in 1519 with a colophon “ . . . cum privilegio . . . ne quis haec imprimat nec aliubi impressa, importataque intra regnum Anglix vendat ”.

We cannot be sure that these three early privileges of Pynson's are authors' privileges, but they are for single books. After this both Pynson and Rastell issued their books under a general privilege, using the phrase *cum privilegio a rege indulto* or its equivalent, without any reference to the particular work in hand.

I therefore conclude that the first privileges were for individual books or grants of copyright to authors and that in certain cases like Palsgrave's in 1530 such privileges continued to be granted, but that about the years 1519-20 John Rastell and Richard Pynson were relieved of the necessity of seeking a licence of protection for separate works by the grant of a general privilege. I would add that as Wynkyn de Worde, Julian Notary, Richard Faques, Robert Copland, Henry Pepwell, John Skot and Peter Treveris do not appear to have had privileges, it would seem that Pynson and Rastell were the first English printers to enjoy royal protection of this kind.

They were joined, it appears, in 1525 by Robert Redman, and in 1526 Thomas Berthelet, and after that the younger men, troubled by the atmosphere of suspicion under which they worked, found it advisable to seek the royal protection. For, after all, it was a mark of respectability, even though it left them subject to the censor. Thus Thomas Godfray, Robert Wyer, Richard Banks, Laurence Andrewe, Wm. Rastell, John Byddell, Thomas Gibson, John Gough, Thomas

Petyt, John Wayland, John Mayler, Wm Middleton, John Herforde, Thomas Raynalde, Richard Lant, William Bonham, and of course Grafton and Whitchurch all used the King's privilege. Yet an old hand like de Worde went along unprotected except in the vicarious cases in which he was printing for some one else who had the privilege.

We may notice, however, before we leave the question of the two kinds of privilege, that the monopolies, sometimes lucrative, for classes of books which were granted later, whether for grammars, Bibles and service books or law books, even if we look on them as a development of the privilege at first granted to authors like Linacre, Palsgrave, Whitinton and Rastell, really formed a class apart, and were a special concession granted under letters patent. On the other hand, it is worth notice that no original warrant or licence has been found, so far as I know, granting a general privilege to a printer, although copies of these warrants are sometimes printed in full in their books after 1538.

The rapid development of the practice of granting general privileges after 1525 may be associated, as I have suggested, with the atmosphere of suspicion under which printers were working. In any case it is clear that the words *cum privilegio regis* would give confidence to the poor reader, who must have been almost afraid to buy a book lest he might find himself arraigned before the Bishop's Court. On the other hand, hardened controversialists like Bale resented the appearance of "popish" books under the King's privilege. In his *Yet a Course at the Romysh Fox* he attacked Richard Lant for printing *cum privilegio*, a work that annoyed him, and sought comfort in declaring that "he hath dyshonoured hys kinge and dishonested his cuntre in offering (it) unto the peple under his tyttle of pryvylege".

Bale was not using a new controversial weapon, for I have found a delightful case¹ of its use for defence in 1534, that must have opened the eyes of the King if he ever heard of it. The village of Langham, in Essex, had evidently a

¹ R.O., Misc. Bks., T.R., 120, p. 59.

strong party of "newfangled" folk, whilst the vicar, a man of the old school, was well supported by his sidesman or questman, as he was called, John Vigorous. I must explain that it was the office of the questman to inquire into and maintain the doctrinal integrity of the parish, just as the churchwarden was responsible for the care of the material fabric of the church. It was in the power of the questman to summon offenders to appear before the Ordinary. The activities of Vigorous, who seems to have deserved his name, led the Lutherans of Langham to put their case into the form of a Bill of Complaint against him; and support it by depositions duly signed and send it apparently to Cromwell.

The complaint says that though the King

puts forthwith Certyne bookes printed and openly sold with his ryght royal pryviledge sett unto the same to the intente truly (as we do take it) that no man shoulde feare but rather be encoragede to occupye them,

yet nevertheless they had been troubled by the said Vigorous for reading, and making opportunities for reading, certain books so privileged. In other words here are certain people of heretical tendencies defending themselves against the orthodox questman by claiming that no book can be heretical which has been published *cum privilegio regis*.

They supported their plea by instances of the questman's tyranny. Thus :

Upon the Ascensyon day paste, didde ye Maydens sytte in theyr pue or stole in the churche as all honeste and vertuous people use to do at matyns saying theyr matins together upon an Englysshe primere. Vigorous this seeing was sore angry insomuche that therefor and for no thing eles he didde bydde the maydens to avoyde out of church errent whores with soche other odyous and spiteful wordes more. And after soche spiteful fassions doth he take parte against many and dyverse other monge us more for usynge to reade pryvyledgede bookes all only without any other cause gevyn of us to hym so that we can not lyve by hym peasable as god wolde and the kynge.

Wytnessed Rycharde Wendlocke &c.

The document is endorsed :

Syr I beseche yor mastyrshyp to sende to me worde what your pleasyre ys to be done in thys mattyr after that you have perfectly redd yt yt is mattier touching god and the kyng my master.

Now it is clear that the King could not suffer his royal privilege to be dragged into parochial feuds or open controversy, its plain meaning to be distorted and then used to countenance "newfangelnesse". He therefore took steps to settle the matter with some show of finality by his Proclamation concerning Heretical Books, in 1538. It will help us to understand the proclamation if we remember that it belongs to the reaction against the zealots that set in at the close of Cromwell's career, and that it was shortly followed by the Statute of the Six Articles.

After stating that

The kinges most Royal maiestie being enformed that sundrye contentious synystre opynous hath increasyd and growen . . . by occasion of suche sundrie printed bokes . . . as have been printed within this his Realme set out with priviledge,

the proclamation clears the ground by first enjoining that no book in English may be printed unless it has been examined and licensed ; and having thus settled the question of licensing it deals with the question of the royal privilege by a double order ; first, that when the phrase *cum privilegio regali* is used it shall be qualified by the words *ad imprimendum solum* ; and secondly, that a copy or translation of the original privilege shall be set out in full in English.

Mr. Pollard has pointed out that the meaning of this injunction, and particularly of the words *ad imprimendum solum* has not been clearly apprehended.¹ It so happens, however, that we have at the Record Office the first draft of the proclamation with a double set of amendments in the draughtsman's hand,² and at the Museum there exists the

¹ *Shakespeare's Fight with the Pirates*, p. 6.

² R.O. S.P., Hen. 8, par. 139, f. 103.

fair copy,¹ then submitted to the King with the final corrections in his own royal hand. I am therefore able to state that the words *ad imprimendum solum* were the addition of Henry VIII himself. The series of drafts and emendations are so interesting, however, that I will go through them in order, and I do this the more readily because they confirm Mr. Pollard's reading of the King's phrase in a definite manner. The first draft reads :

item that no person or persons usyng the occupacion of pryntyng in this Realme shall from henceforth prynte any boke in the Englishe tong with theise wordes, (cum privilegis Regali) onless the true understanding of the same wordes be plainlie declard and expressed in the Englishe tong underneth them to the intent that the Reders may plainlie perceve the effecte therof.

This draft is important as showing that the original scope of the injunction was confined to the use and abuse of the phrase *cum privilegio regali* and their effect on readers.

It was then felt that this was insufficient, for the point needed emphasis that the privilege was not an *imprimatur*. Hence we get the first correction of the first draft.

item that no person or persons usyng the occupacion of pryntyng in this Realme shall from henc-forth prynte eny boke in the Englishe tong with theise wordes (cum privilegio Regali) onless they have first licence of his higness graunted upon examinacion made by some of his graces privy counsaill to printe the same. And have a privilege in dede that no man but they shall printe the same for a tyme plainly declard and expressed in the Englishe tong underneth them to the extent that the Reders may plainlie perceve the effecte thereof.

In many ways this is a satisfactory version. It states what a privilege is, namely, a grant "that no man but they shall printe the booke for a tyme"; it demands that the printer who uses it shall have it "in dede" which means, of course, that some poor beggars of printers were rascally enough to

¹ B.M., Cott. Cleop. E V., 341.

filch the words; and it distinguishes the King's privilege from the censor's licence or imprimatur.

The next version or correction relieved the Privy Council of the direct responsibility of being the only duly empanelled licensing authority by adding to their number "such other as his highnes shal appointe", and it cleared up the two questions of the filching of the *cum privilegio* and the interpretation of the words to the reader by a clever stroke. The printer was to print "theffecte" of both his licence and his privilege plainly in English. If he had never had such a licence and a privilege granted to him, he could not state their "effect", and if he stated their effect, readers could have no ground for misunderstanding their plain object.

The second correction then reads :

item that no person or persons usyng the occupacion of pryntyng in this Realme shall from henc-forth prynte eny boke in the Englishe tong with theise words / *cum privilegio Regali* / onless they have firste licence of his highnes graunted upon examinacions made by some of his graces privy counsaill or other such as his highnes shal appointe And that theeffecte of his licence and privilege be thereto prynted and plainlie declared and expressed in the English tong underneth them.

So far we have followed the Record Office draft. A fair copy was now made with only one slight change, stiffening the last phrase,

and that the hole copie or els at the least the effect of his licence and privilege.

and this fair copy was submitted to the King, who amended it very definitely in his own hand. This copy with the King's corrections is in Cotton MS. Cleopatra E.V. at the British Museum.

His Majesty was evidently the first to see that the injunction so far applied only to those who used the words *cum privilegio regali*, and that its effect would be to leave all other printers free of the injunction. He also detected that the words "using the occupation of pryntyng" were not

wanted, since without them the phrase ran "no person or persons in this realme". As for all this to-do about the distinction between a licence and a privilege, let them add to the words *cum privilegio regali* the words *ad imprimendum solum*, "for printing only", or as an earlier draft had put it, "that no man but they shall printe the same for a tyme", and there was an end of it. So the final state of the copy, the state in which it went to Berthelet after the King's handling, ran

Item that no person or persons in this realm shall from henceforth printe any booke in the Englishe tong unless upon examination made by some of his Grace's pryvie counsaile or other such as His Highnesse shall appoint they shall have lycence so to do and yet so havynge nott to put these words Cum privilegio regali without addyng Ad imprimendum solum, and that the hole copie, or els at the least theeffect of his licence and privilege be therwith printed, and playnely declared and expressed in the Englisshe tonge underneth them.

In accordance with the injunction as it thus finally appeared in the proclamation of 1538, books now began to appear containing a copy of the privilege granted by the King. We find this, for instance, in Berthelet's edition of Sir Thomas Elyot's *Dictionary* of 1538, in John Gough's *Dore of Holy Scripture* of 1540, and Richard Banks' *Epistles and Gospels* of the same year. Gough was on more than one occasion in trouble with the authorities, and his privilege is made conditional upon his "Storyes or bokcs being perused and overseen by two or three dyscrete learned persons"; but such a condition was apparently unusual, and it is not stated either in Berthelet's or Banks' privilege.

The following copy of Richard Banks' privilege will illustrate the nature of these grants :

Henry the eight by the grace of god kynge of Englande etc. To all prynters of bokcs wythin thys oure Realme and to all other our officers ministers and subiectes, these our letters hearyng or seyng, gretynge. We let you wit that of our grace especial, we have gyven privilege unto our welbeloved subiecte Richarde Bankes, that no maner person wythin thys our realme,

shal prynte any maner of bokes what so ever our sayd subiecte shall prynte fyrste wythin the space of seven yeres next ensuyng the prentyng of every suche boke so by hym prynted, upon payne of forfeiting the same. Wherefore we woll and comaunde you, that ye nor none of you, do presume to prynte any of the sayde bokes duryng the tyme aforesayde as ye tender oure pleasure, and woll avoyde the contrarye.

I have pointed out earlier that in Gough's *Dore of Holy Scripture* the licence as well as the privilege was printed :

Perused by doctor Taylor, and doctor Barons, Master Ceton and Master Torner.

We have already noticed that no original grant or warrant of privilege has been found. The reason for this would appear to be that, being neither a warrant for payment nor receipt it was not filed for reference by the auditors or tellers. In that it differed, for instance, from the enrolled letters patent that record a grant of a pension. A letter to Cromwell from Hilsey, Bishop of Rochester, compiler of the Primer, shows, however, how a privilege might be published. "May it please you^r Lordeshippe," he writes, "to declare unto this berer the prynter, the pryvylege y^t he shall obteyn by you^r Lordshippe favorable kyndness—Certyfienge hym further wyther yt may please yo^r Lordeshippe that the comandement to the rest of the prynters shalbe declarede unto them by yo^r messenger other els prynted in the prymer."

In the year 1538, when the King's new phrase *ad imprimendum solum* became compulsory, Grafton was in Paris engaged on his Great Bible. He had finished the New Testament and had used the old phrase *cum gratia et privilegio regis* when Lord Hertford informed him of the new inhibition. He at once wrote to Cromwell in distress about the added words "which wordes we never heard of before neither do we take it that these wordes shoulde be added in the pryntyng of the Scripture (yf yt be truely translated) for then shuld yt be a great occasyon to the enemyes to say that yt is not the Kynges acte or mynde

to set yt forth, but only lycence the prynters to sell soche as is put forth "; a legitimate criticism, all will agree, but one that shows a clear apprehension of the meaning of the King's phrase.

Whatever trouble these words may have given, I would venture to point out that we ought at least to be grateful to Henry VIII for affording us a clear and irrefragable piece of evidence as to the backward date of all books that bear the imprint *ad imprimendum solum*. No one ever dreamt of using these words in an imprint before the King himself inserted them into a copy of the proclamation in 1538. Further, we should be grateful to Grafton for the evidence he has left us of the meaning the phrase had for a printer in 1538. Any other meaning than "for printing only" makes nonsense of his letter to Cromwell, whatever uses the phrase was put to in later days.¹

If, as we leave the little plot that we have been surveying, we were to ask what we had found there our answer might be that we had seen how Wolsey, the Papal Legate, tried to enforce the injunction of Leo X touching heretical books, and how it fell to the Bishop of London to control the London printers; that we had seen his Consistorial Court at work and had found that it is really very true that new wine is too much for old bottles. We had seen that when the Vicar-General had troubled the printers, the Royal Privilege began to find favour in the eyes of the younger men. We had seen that some printers abused the privilege and others who had never received it falsely claimed to have it. We had seen that readers affected to think that they too were protected by it. We had seen finally how the King and the Privy Council took over the control of the book trade and how Henry himself brushed aside the privilege dispute and had his Privilege defined.

¹ A discussion of the phrase *Ad imp. sol.* by Miss E. M. Albright appeared in *Mod. Lang. Notes*, February 1919, and by Mr. A. W. Pollard in *The Library*, January 1919.



statuta

In parlamento

apud Westmonasterium tertio
die Nouembris Anno regni me-
tuendissimi Anglie et Francie
regis / fidei defensoris / ac domini

ni Hibernie Henrici octavi vicesimo primo Trento / Bonū publicū
concernentia.

THE LAW OF NATURE

BERTHIAFT SUCCEEDED PYNSON AS KING'S PRINTER IN 1530, BUT RASIGLI PRINTED THE STATUTES FOR 1520, AND
EMPLOYED THIS SYMBOLICAL CAPITAL (see p. 200)

RASTELL: APPENDIX I

JOHN RASTELL'S VOYAGE IN THE YEAR 1517

But they that were the venturers
Have cause to curse their maryners
Fals of promys and dissemblers
That falsly them betrayed.

—Rastell's *Play of The Four Elements*.

THAT a voyage had been attempted in or about the year 1517 is indicated by a passage in Eden's dedicatory preface to Münster's *Cosmographie* (1553), when he says that to meet death in such attempts is more honourable than to die in soft beds at home among the tears of women. "Whiche manlye courage, yf it had not been wanting in other in these our dayes, at suche time as our soveryyn Lord of noble memori King Henry the VIII. about the same yere of his raygne (*Anno VIII* = 1516-17) furnished and sent forth certen shippes under the governaunce of Sebastian Cabot yet living and one Sir Thomas Perte (*sic*) whose faynt heart was the cause that the viage took none effect. . . ."

Sir Thomas Sperte was signing indentures on 10th July, 1517, with the Lord Admiral, Thomas, Earl of Surrey, on his appointment to the office of "balastyng of shippes in the Thames"¹; but as I read the case, I see no need to correct Eden's reference, although it is obvious that Surrey himself was opposed to sending any part of his fleet across the Atlantic when it might be needed in the Channel.² Sperte, Master of the *Henri Grace à Dieu*, was one of Henry's leading master mariners. The several mutinous mariners, who are mentioned in the law-suit, and the vessels, the *Barbara* and *Mary Barking*, are frequently met with in the naval records of the period. Cabot, however, I believe to have been innocent, and he is not referred to in the

¹ R.O., A/cs. Excheqr Q.R., 57. 17.

² This in spite of the fact that Surrey may have been one of Rastell's sureties.

legal proceedings. That he was in England about this time is indicated by references to him (as a broker) in the Hustings Rolls in the Town Clerk's Records at the Guildhall. In spite of Eden's reference, and the fact that Rymer printed the King's *Letters of Recommendation*¹ (5th March, 1516-17) to Rastell, Spicer and Howting, three of the venturers, this attempted voyage of 1517 has been disputed by recent writers.²

The date of the legal proceedings² appears from the endorsement, "*xv. die novembr a° XI* (1519). Thys case ys continued unto the morowe after the purific^a of O^r lady next comyng at whiche day the plaintiff hath taken upon hym to bring sufficient witness for prouf of hys compleynt w^out further delaie therin to be made." The issue of the suit seems to have been in Rastell's favour, and echoes of it are heard in Chancery suits for some time. Gentlemen-venturers probably learnt a lesson from Rastell's experience, for when his son John succeeded in reaching Labrador in the voyage of 1536, recorded by Hakluyt, the mariners were kept in hand by the gentlemen of the Inns of Court. The earlier failure probably taught the value of the amateur spirit in this adventurous work. The interval of two years (1517-19) was apparently spent by Rastell in Ireland (see p. 202).

DRAMATIS PERSONÆ.

John Rastell, *Prosecutor*, venturer, an eminent lawyer.

Richard Walker, Rastell's factor.

Thomas Bercula or Berculay, Printer.

Thomas Coke,

Thomas Myrable,

} Rastell's servants.

William Howting, London Merchant, venturer on the *Mary Barking*.

Richard Spicer, London Merchant, partner with Rastell on the *Barbara*.

Richard Milward, Spicer's factor.

John Ravyn, *Defendant*, a well-known early-Tudor mariner engaged by Rastell as purser of the *Barbara*; owner of the *Mary Barking*.

John Richards, Master of the *Barbara*.

Philip Tyse, Master of the *Mary Barking*.

¹ Rymer XIII, p. 382, and French Rolls, 8th Henry VIII.

² There are six sheets stitched together. When I first read the proceedings in July 1916 I had to have the stitching undone to unfold the long sheets.

John Bryan,
Humphrey Dyke, }
Edward Taylor. } Ravyn's hands.
Richard Smyth, }
Coo, an agitator. }
Henry Mongham, an Irish pirate.
Thomas Dryvam, of Waterford.
Robert Gage and James Raster, Ship's boys.
Masters of the other ships of the fleet.
Soldiers, thirty or forty under Rastell.
The Prior of Truro.
Thomas Howard, Earl of Surrey, Lord Admiral, under whose orders Ravyn acted.

PLACES NAMED.

London, Blackwall, Gravesend, The Horns, Sandwich, Dartmouth, Plymouth, Truro, Bristol, Croydon Britain, Bletchingly, Waterford, Cork, Bordeaux, Rochelle.

THE SHIPS.

The *Barbara* and *Mary Barking*, both under 200 tons, had already made history. Sir Edmund and Lord Thomas Howard commanded them in the pursuit and capture of Andrew Barton, the Scottish pirate, and his vessels, the *Lion* and *Jenny Perwin*, which they brought in to Blackwall on the second of August, 1511, with their prisoners. Barton died of his wounds on board.

THE PROCEEDINGS.

RASTELL v. RAVYN.

(*R.O. Court of Requests*, 3/192.)

I.—RASTELL'S BILL OF COMPLAINT. II.—RAVYN'S REPLY.
III.—RASTELL'S REJOINDER. IV.—WALKER'S DEPOSITIONS.
V.—MYRABLE'S DEPOSITIONS. VI.—MILWARD'S DEPOSITIONS.
VII.—BERCULA'S DEPOSITIONS.

I. *John Rastell's Bill of Complaint.*

To the kyng or sovereyn lord.

Pitiously compleynyth unto yo^r gracious hyghness yo^r pore subject John Rastell / that wher he entendid a viage unto the new found land by your gracious mynd and assent to whom yo^r grace grantyd yo^r letters under yo^r grete seale directed as

wel to all yo' subjects as to all other crestyn princes and theyr subjects for the fortherance of the same. And for the same viage yo' seyd orator reteynyd in his service John Ravyn to be purser of a shypp called y^e barbara. Which seyd ravyn contrarye to y^e trust y^e he was put in and contrarye to all trewthe deseyved yo' seyd orator causyd and compelyd hym to gyff up his viage to his gret losse and forthermore after y^t yo' seyd orator had thus by compulsyon gyffyn up his viage, the seyd ravyn cam to the seyd shypp at falmouth / and ther he and dyvers of the false mareners that is to say Edward taylor, John brian, humfrey dyke servants to the seid Ravyn wt many mo of the lyke felons and robbers put out of the seyd shipp one Rychard Walker y^t was servant and factor to yo seyd orator and there spoyled & toke away ye goodes of y^e seyd orator beyng in ye sayd shypp y^t ys to sey / fyne white flowre and bay salt wt certeyn pakks of frysis and canvas and cofers of silks and tukes and other mercery ware wt divers other goodes and howsold stuff / as fedyr bedes napery pannes pottes and dyvers other wares as salt / hiddes tallow and other thynges as shall appere by percelles which goodes amount to ye some off C pounds and above whereof yo^r seyd orator had nei(ther) rekonynge nor recompence unto this day to ye valew of one peny /

And now so it is that ye seyd ravyn w^t many other of the seyd malefactors be now abydyng w^t -in the cyte of london pleasyth it yo^r gracious hyghnes y^e premissis tenderly consideryd/ as to send one or yo^r offyce^{rs} of ye seriauntes of armes or some other offyicer of yo^r s to attach ye seyd personnes to appere before yo^r grace and yo^r honorable counsell and there to make answeere of theyr misdemean^{rs} and robbery and to fynd suerti to make recompence to yo^r orato^r of all y^t yo^r grace or yo^r honorable counsell shall there by ye law resonably adiugge. As yo^r seyd orato^r shal dayly pray for y^e prosperous estate of your gracious hyghnes.

II. The answer of John Ravyn to the bill of complaynt of John Rastell.

The saide John Ravyn seyth that the saide bill is untrue uncerteyn and unsufficient to be answered to and feyned of malice to thentent to put the saide John Ravyn to expences and trouble and the matter therin conteyned matter clerly determynable parti af the comyn lawe and parte before thadmyrall of the See and not in this honourable Courte / wherunto he preyth

to be remytted / And thadvantage therof to hym savid / if he be compelled to make ferther answer to the saide insufficient bill.

Ferther that as to the saide disseyt compulsion or lettynge of the saide John Rastell of his saide viage takyn^g or spoilyng of any man^r of goodes or wares or any other myssdemeanor^r in the saide feyned bill submytted that he is not therof ne of noo parte therof gyltie in manner and fourme as the saide John Rastell bi his saide bill hath surmytted / all whiche matters the saide John Ravyn is redy to prove as this honourable Court shall awarde / and pryth to be dysmyssed oute of the same with his reasonable coste systeyned in this behailfe accordyng to the statutes in suche case provided.

III. *The replicacon of John Rastell to the answer of John Ravyn.*

The seyde John Rastell seyth that his seyde bill is good and trew in every poynt and nothyng faynyd and that the seyde John Ravyn is gylty in every poynt and article as is alegyd in the seyde byll whych the seyde John Rastell is redy to prove accordyng to the order of thys court / and for as much as the seyde John Ravyn hath so spoyld and takyn away the goodes of the seyde John Rastell so that for lack of possession of his seyde goodes he is not able to maynteyn and sew the comyn law wherfor he prayeth that the seyde Ravyn may be compellyd to put in sewrte to restore the seyde goodes and damage for w^t holdyng of the same as it shall be by this honorable court resonably aduigged.

IV. *Interrogatoryes in the matter between John Rastell and John Ravyn.*

The furst article.

In Primis Whether John Ravyn was deseyvable and negligent in doying service to the seyde J Rastell and whether he was absent when the ship called the Barbara whereof he was reteyned to be purser dept^d to Gravesend / wher the ship taryed for hym when other shippes of the same fleet departed by reason wherof that ship was set aground on the hornys lyke to be lost when the seyde J Rastell tarryed for them at Sandwyche and other shippes of the same flete departed. Richard Walker sworn and examined upon this interrogatory saith upon his othe that the forsaid shipe and company in hyr taried for the said Ravyn the space of ij dayes by reason wherof she was ne^r loste but what cause or occasion she had so to tary this deponent

the ij de .

It^m Whether the said Ravyn was negligent in preparing certeyn necessities belongyng to the seid ship (that) shuld have been prepayrd before the ship departyd from london /and whether the harth of the ship was unmade after yt the ship avalyd to blackwall /so that the said John Rastell caused one Edward W—— to make it and caused one John Richards the mayster of the ship to send for bryk when non wt in the ship wist where Ravyn was the said Walker sayth that this Article was true.

the iij de

It^m Whether Ravyn bought a ketyll for the ship at dertmouth a gryndelston empty hoggeshed skopper ledder an other thynges that shuld have been provyded before /and caused bysket to be bakyn there when they had inough aboard. And so delayed the tyme /and whether he causid the ship to be brought into Plymouth havyn and ther bought naylys spykys and other thyngs and as the most part of the soudiers ther thought caused a leke to be made in the ship to delay the tyme. To this article the seid Walker sayth that suche necessities was bouthe (bought) there but whether the said Ravyn caused the leke to be made wilfully or not he knowt not but it was so said amonge the company.

the iiijth

It^m whether the said Ravyn and the seyd Rychardes the maister of his own affynite (assent ?) and agreement went a land at falmouth b(ay) and cam never a bord in VII or VIII days that no man could tell wher Ravyn was but as they both seyed themselves went about to get a bargayn of tynn to have to bordews (Bordeaux) for theyr own profett so that at the last the seid Rastell caused the seid maister wt mych callyng uppon to go to the see when no man wist where Ravyn was / yet that notwythstondyng the seyd maister brought in the ship agayn and ther taryed tyll Ravyn cam and causid *an othyr ship or ij of the flete to reterne in agayn whych as all the soudiers ther thought was by agreement* of those maisters of those ships yt retornyd and ye seid Richards for other shippis of the same flete that went out of falmouth the same tyme wt the barbara seyed streyght forth into yreland and retornyd not agayn.

The said Walker saith that this Article ys true but whether the said Ravyn went aboute to by tynne he canot tell.

the Vth

Also whether thē seid John Richards the maister and John Ravyn were every day and night togedyr and of one agreement.

and whethyr they both exortyd the seid Rastell at Waterford when he landyd there to bye more flesh for vitell / to gyff up his viage seyeng that ye mareners nor they were disposed by ther wyllys to seyl no ferther / to which the seyde Rastell seid that yf they or any of the mariners wold refuse to seyle forther that then he wold discharg them and all sych and take new mareners and new maister and purser in yreland / to the whych the seyde maister and Ravyn seid that they would take no sych discharg of hym but they seyde *they wold bryng the ship agayn to my lord admyrall as they had hym promysed* wherfor the seid maister and Ravyn went agayn to the ship V myl from Waterford. Wherefore the said Rastell being sore aferd that they shuld cary away the ship send Rychard Walker and on or ij mo of his company to intrete them by feyr meanys / which seyde maister and Ravyn send the seid Rastell word agayn that he shold pay all the mareners wages that was behind and also make acquytance of an obligaton to the seid Richardes (wherein he was bound xl pound to the said Rastell to do him trew service) / or ells he should not have one peny worth of goodes owt of the ship / wherfor the seyde Rastell for fere of losse of his goodes was compellyd and fayn to follow their myndes / and in conclusion made the seyde acquittance in the presens of Richard Walker and dyvers others and wrot a letter to my lord admiral after theyr myndes / and so was compellyd to send the ship and his factor wt them therin toward borddews / And yet the seide Rastell was thys (thus ?) wyse dyversley intretynge them by the space of iiij or V wekes or that he coude get his goodes aland / the same Walker sayth upon his othe that this forsaid article is true in every behalve. Thomas Mirabull sworn upon the forsaid article sayth that it is true in every thing and further sayth that if Rastell had not folowed the mynde and desyre of the said Ravyn and his partakers they wold have taken the ship and goodes and departed theyr way in which shype this deponent had goods to the value of XX marks and durst not come to the same unto (until ?) the said Rastell had made acquittance as ys afore rehersed.

the VIth.

Also whethyr the seid Ravyn shipped and hyryd divers mareners mo than neded as dyvers ther thought, which wold do no thynge after the mynd of the seid Rastell but all after the mynd of the seyde Ravyn / and whethyr he shipped and hyryd ij boys not able to do servyce / one called Robert gage another Jamys Raster for 5/- a pece by the monyth and had

and alowyd himself money for them / whych Raster was seke of the agew before he cam aboard and so contynewyd and dyd never servyce / and also toke and alowyd himself money after the rate off Vls. a monyth for one humfrey dyke his servant to be a gunner which could nothyr skyll to be a marcner nor gonner this article the said Walker sayth ys true but whether it needed any moo mareners to be had for that viage this deponent cannot depose.

the VIIth.

Also whethyr that Richard Walker whom Rastell had deputyd his factor to bordews proclaymyd in the country at falmouth that he wold sell the salt the goodes of Rastell / and when the people cam thedyr to by hit one Edward Taylor Humfrey dyke and other mareners there dy^d mete the salt themself and sold it and rescyved the money both for the salt that was the goodes of rastell and also the salt that was the goods of one Richard Spicer in the same ship contrary to the mynde of Richard Walker, (and) contrary to the mynd of Richard Mylward then factor ther to the seyd Spicer the said Walker confessesthe upon his othe that this article ys true.

the VIIIth.

Also whether Richard Walker came to my lord of Surrey at blechyng lee desyryng hym to be good lord to the seyd Rastell shewyng hym how yvyll the mareners had intretyd hym whych seyde that he had send down John Ravyn to take the ship unto his own hand and commandyd Walker that he shuld no more meddyll wt Rastells goodes beyng in the ship and seyde that ravyn knew forther of hys mynd also the said Walker sayth this article ys true.

the IXth.

Also whethyr Ravyn came to the ship at Falmouth and ther discharged the said Walker that he shuld no further meddyll wt none of the goodes of rastell beyng in the ship and lykewyse discharged the seyd Richard Mylward that he should no further meddyll wt Spicers goods and seyde it was my lord admyrall's commandment that they shuld be sold and distributed to the mareners / the said Walker sayth that Ravyn discharged hym in manner aforesaid but whether he discharged Milward or not he cannot depose.

the Xth.

Also whether Richard Walker when he came to the ship found the pakkys of Rastells fryse brokyn and the mareners havyng cotes an sloppes thereof which they ware on theyr

body's whych mareners seyð that ravyn had caused it to be delyvered by my lord admyralls comaundement the said Walker sayth that this article ys true.

the XIth.

Also whether the seyð Ravyn humfrey dyke Edward taylor and other mareners ther sold the goods of the seyð Rastel and spyker contrary to the myndes of the seyð Walker or Mylward theyr factors / that is to say salt floure fryse and other wares the said Walker sayth that the said Ravyn and others solde the goods of Rastell afor the face of the deponent and some in his absence.

the XIIth.

Also whether the seyð Ravyn wrot in his boke all that was sold and toke a rekonyng therof and reseuyd the money and distreybutyd it as hym lyst / and whether the seyð Ravyn gaff part of the same money to the seyð Richard Mylward servant to the seyð Spicer to bryng hym home to this article the said Walker sayth he knowt not the trouthe.

13x.

Also whether Ravyn sold dyvers pipys of floure one to the prio^r of treiorow (Truro) and other mo in other places as the seyð prior and he that bought them shewyd to Richard Walker the said Walker sayth this article ys true.

14x

Also whether the seid Ravyn and other mariners spend the vitell of the seyð Rastell beyng in the ship at their pleasure and went in the said ship taking the residue of the vitelles wt them to bordews contrary to the mind of the said Walker both beff, bysket, bere, bacon and other vitell by estymacion worth XXX li the said Walker cannot depose in this article for he was not present at that time.

15x

Also whethyr the seyð ravyn and other mareners caryed the residew of the goodes of the seyð rastell and spicer to bordews contrary to the myndes of the seyð Walker or Mylward /

16x

Also whythyr Ravyn delyvered at bordews certeyn of rastell's hides to one lendall servant to one maister prow to these articles he canot presisely (depose?).

be me Rychart Walker.

Arts. 13-16 are not numbered in the M.S.

(Marginal depositions to these articles by Myrable and Bercuda

V. Interrogatoryes in the matter between John Rastell and John Ravyn.

(These are not numbered in the MS.)

1. Item whether John Ravyn and John Rychards maister of the barbara were alway fannyler togedyr and every day in secret counsell / and whythyr the sey^d master and one Philip Tyse maister of the mary barkyng and the maisters of the othr shippes of the flete toke a counsell all togedyr at falmouth w^t out consent of the sey^d Rastell or any other of the cap maisters that venturyd / And as dyvers of the maryners reportyd / they theyr concludyd^d that they wold cause and compell the seid Rastell and the other merchaunts to gyff up theyr viages ellys they wold bryng them bake agayn whydyr they wold or noo or elles put them in fere of theyr lyfys. Thomas Mirable sworn of and upon this article confesseth the same to be true and that he hymself shewed and declared theyr demeano^r toching the same Mr. Rastell.

2. It^m whythyr Willm Hotyng accordyng to the same appoyntment beyng cap merchaunt of the mary barkyng was put and lokkyd in his cabban at the havyn of kork in yreland by the sey^d mayster philip tyse and other mareners & so they brought the ship and hym therein agayn towards ynglend contrary to his mynd and compellyd hym as he sey^d to make to them an acquytaunce wherof he brought a certyficat from kork to london testyfyng the same mesdemeaner / to this Article the said mirable sayth that true it was that the said hotyng was locked in manner afore declared & so kepte and brought into the water of Thames by the consent of Ravyn whiche was on of the owners of the said shipe at that tyme.

3. It^m Whyder the seid John Richardys maister and the seid John Ravyn exortyd the sey^d John Rastell at falmouth to gyf up his viage and to send the ship toward bordews and whethyr the sey^d Rastell sey^d alway ther that he wold go forth wt his voyage and whethyr the sey^d Rastell accordyng therto brought hys company that cam with hym from London to the number of xxx or xl souldiars besyde mareners into yreland / And also brought thyder wt hym all hys salt vitell tollys for masyns and carpenters and other ingynes that he had prepyrd for the new lands and laft therof nothyng behynd hym intendyng to contynew his viage / the said mirable sayth that this article ys true and that Ravyn and the maister com-

pelled the said Rastell and wold not deliver the shepe ne the goodes unto suche tyme (as) the said Restell made acquitance and agreed to theyr desyres.

4. It^m Whyther the seyd Ravyn and the seyd John Rychardys exortyd the seyd Rastell in the see appon the cost of yreland to gyff up his viage and to fall to robberyng uppon the sea and to take on(e) henry mongam a maisster of a bark of yreland whych had takyn a portyngale ship there and seyd that he myght do it by the law of the see and that hit shuld be as profitable for hym as his fysshynge in the new lands / which the seyd Rastell refused to doo but went a land at Waterford to prepare more vitell for his viage / the said Mirable sayth that the said Ravyn and Richards made such exhertacious as aforesaid to the said Restell whiche he utterly denyed and therupon went on lande.

5. It^m Whethyr tythinges cam to the seyd rastell at Wat^r ford that Willm Hotyng cap. merchaund of the mary barkyng of the which shipp the seyd Ravyn was owner was put in his cabin by the maister of ye seyd ship and mareners and the ship brought bak towards ynglend and he in jeopardy of his lyff and that yf the seyd Rastell wold not gyff up his viage that he shuld be seryvd lyke wyse or worse wherfore the seyd Rastell after that for fere of jeopardy of his lyff durst never come a bord the seid ship callyd the barbara / this article the said mirable confesseth to be true in every behalve.

6. It^m Whythye the seyd Ravyn and ye seyd John Richards oft tymys exortyd the seyd Rastell at Waterford to gyff up his viage and to send his ship furst to falmouth and after to bordew and so to my lord admyrall and to send my lord word that the tyme was spent and to desyre hym to be good lord to hym to help hym to performe his viage the next yere / and the seyd Rastell oft tymes denyed it and seyd he wold forth wt his viage ye same yere for he had tyme ynough / the sayde mirable sayth that the said Ravyn and Rycards promysed and faithfully said to the said Rastell at that tyme, if he wold geve up that viage that they wolde gete hym a viage to burdeaux that shuld be worthe a C li to his charge.

7. It^m Whether the seyd Ravyn eftsons at Waterford in Thomas Dryvams house exortyd the seyd Rastell to gyf up his viage and to send the ship to falmouth and so to bordews and so to my lord admyrall and the seyd Rastell denyed to folow his counsell wherfor the seid Ravyn wysshed the ship and goods a fyre / and also the seyd Ravyn then & ther seyd

that he was my lordes attorney and yt he had the copy of the chartyr party and seyde it was my lords commandment that Ravyn shuld see the seyde ship occupied after Ravyns counsel and mynd to my lords most profet and seyde yt yf that Rastell wold not be orderyd by hym that he wold bryng shyp and goods home agayn to my lord whyther Rastell wold or no / and incontinent therupon the seyde Ravyn in anger went down to the ship fyfe myle from Waterford / and ther the maister and Ravyn of one assent kept the ship and godes from the seyde Rastell tyl he grauntyd to follow theyr myn(des) in every thyng that they desyryd and to make aquitaunce to the seyde maister upon his obligacon and to send a letter to my lord admyrall to desyre hym to be good lord to hym to performe his viage the next yere / And that the seyde Rastell wold never have made no such quitaunce nor send the ship to bordews nor no writing to my lord admyrall but only by compulsion and for fere of losse of his goods beyng then in ye seyde ship. The said Mirable sayth this article ys true. And if Rastell had not condesseded and agreed to the making of thacquitaunce at that tyme the said Ravyn was determined to have taken the said shipe and all the goodes in hyr and them to have desposed at his pleas^r.

8. It^m Wyther the seyde Ravyn brought———called Coo in to the ship of the barbara at falmouth for to go wt them and because the seyde Rastell herd sey that the seyde Coo shuld be one of the prentyse that made the insurrexon^{*} in london he warnyd Ravyn that he shuld not suffer hym to go wyth him / yet that not wistandynge he causyd the seyde Coo to make and to pyke dyvers quarells to make debate among the souldyars / And when the seyde Rastell pacyfyed all sych quarells by good polycy and cause the seyde Coo to be put out of the barbara / yet the seyde Ravyn causyd the seyde Coo to goo into yreland in his own ship callyd the mary barkynge contrary to the mynd of the seyde Rastell and of dyvers of the souldyers the said mirable sayth this article ys true.

9. It^m Whethyr the seyde Ravyn sold and delyvered certeyn bysket of the seyde Rastells goods beyng in the barbara to anothyr ship off Cornewall in the havyn of Croydon brytteyn / the said mirable knowt not the trouthe of this article.

10. It^m Wyther the seyde Ravyn and the seyde maister John Rychards provokyd oft tymys dyvers of the mariners and others

^{*} The revolt led by apprentices against aliens in London on May Day 1517, the year of the Voyage—commonly called "the ill May-Day." It is interesting to have this picture of the agitator, Coo.

ther to make and to pyke quarells to dyvers of the souldiers and whether one Rychard tayler one of the mariners' wold have bettyn and slayn two of Rastell sevaunts at bristow y^t is to sey Thos Barkley and Thos Coke and drew his sword at them and — / the said Mirable knowt not the trouthe therof for he was not ther

per me thomas myrable

[Millward's answers are here omitted.]

Squeezed in below signature at foot of sheet.

Whyther one Rychard Smyth by the excityng of the seyde Ravyn as dyvers there thought pykyd dyvers quarells and counterfeyted dyvers lyes to make variaunce between the sowdyers and mareners / the said Myrable knowt not the trouthe.

VI. *Milward's Depositions.*

VI. *Richard Milward* of london draper of th age of XXII yeris sworn and examined saith upon his othe that the barbara tarried at Gravysende for John Ravyn howe longe this deponent knowt not but he knowt the said shipe by reason that she was felle in a leyke was broughte to grounde at plomouth. And to the ij^{de} and iii^{de} article he knowt nothing but to the iiith / he sayth that the said Rastell made greate labor to John Rychards maister of the forsaid shipe to goo (^{to}) the see at whiche tyme Ravyn was out of the same and lackyng but how many dayes this deponent remembreth not albe the said maister aft^r returned agayne and the other shippes went unto Ireland.

And further saith that the Vth Article is true of his owne knowledge excepte that he cannot certainly say whether the said Rastell made th acquittance for feare or saluefe garde of his goodes or not as in the said article it ys declared. And as to the VI article he saith that Ravyn had ij boyes and also made one Humfrey Dyke a gonner whereof he coule not skylly but what wages he gave them it ys not knowe to this deponent. And saith upon hes othe that the VII Article ys true in every behalve whereof he hath perfecte knowlege, but he knowt not what answer the lorde Admirable made Walker at Blechyng (lea) ne whether he said Ravyn knewe his mynd as in the VIII article ys expressed and as deponent knowt not. Albeit Ravyn came to this deponent and discharged hym in such manner as ys declared in the IX Article. And further this deponent (saith) that Ravyn caused the marriners to have cotes of Rastells fryse saying it was my lorde Admirals (command) as in the Xth article

is truly declared. And that Ravyn and Dyke and other mariners solde the goodes of the said Rastell contrary to the mynde of the saide Walker and this deponent in such forme as in the XIth Article it ys declared. And that Ravyn wrote in his boke all suche thynges as was solde and the Maister called Edward Tailler toke and receyved the money and the said taillor and the mariners solde all the salte and parte of the floure and the residue John Ravyn and the mariners solde of whiche money the said maister and Ravyn cyther of them gave the deponent a crowne of golde. And that Ravyn and the Maryners toke the vitalles of the said Rastell and it spede at theyr pleas^r to what value this deponent know^t not.

And they carred away the Residue of the goods wt theym to Rochell and burdeux contrary to the myndes of this deponent and Walker. And that Ravyn layed upon lande at Rochell certain hyddes of the goodes of Rastells and set a prise upon theym. What this deponent remembreth not ne the vearly number of them nevvrtheles he hath them wryten in his boke. And knowt also that Ravyn solde certain pypes of floure at Rochell

by me Rychard Melward.

VII. *Bercula's Depositions.*

VII. Thomas Berculay of london prynter sometyme servante unto Maister Rastell suorn and examined / (and ?) upon all and every of th articles or intergat(at)eries brought on the behalf of the said Rastell touchyng the viage unto the newe founde lande at which tyme this deponent was his servante and in the said shipe called the barbara saith and deposeth that he knowt the same to be true excepte that he knowt not that the said Ravyn caused wilfully a leke to be made in the said shype to th entent to defer the viage. albeit he knowt that the shipe was caste upon grounde whereby as it was supposed she fele in a layke. And as to the Article touching the hyryng of the boyes or laddes the deponent was not prive therto nor if suche secrete wordes as was spoken between the said Rastell the maister of the shype and the purser called John Ravyn nor knowt not of the article tochyng the sellyng of the salte ne the Article touchyng the wordes betwene the lorde Admirall and Rychard Walker nor knowt not of tharticle howe Ravyn came to falmouth and discharged the said Rychard Walker of the shype. but by reporte nor th article tochyng the packes of fryse nor tochyng the article of the sale of Rastelles goodes nor of the Articles

touchyng the Receipts of money nor touchyng the sale of the floure ne of thexpendyng of the victuals ne carrage of the goods to Bourdeaux nor of the delyver of the goodes ther. And as to tharticle touchyng the counsaill of the maisters he knowt not therof but he sayth that the maister of the barbara and John Ravyn were alway famuliar and in prive counsaell togeder. And sayth that he herde Will Hotyng say & confess all and every article in the said Interrogatory specified of his oune word to be true. And further saith that he knowt his said maister Rastell intended alway to folowe and go forward in his viage but knowt not of thexhertacion to the contrary made by Ravyn and the maister of the said shyppe and he confesseth that consaill was gevyn to Rastell to fall in Robbyng wherunto he wold never agre ne condescende ne knoweth not of th exhortacions made at Waterford in Irland to give upe the viage ne of thex hertacions made in Thomas Drivons house but by reporte ne of the deliveré of certain bisket bred.

per me Thomam Berculam.

RASTELL: APPENDIX II

RASTELL IN IRELAND

AMONG Rastell's many Chancery Suits is one of about the year 1534, in which he sought relief against his brother-in-law, Staverton and Dame Alice, the widow of Sir John More. The case belongs to the close of Rastell's life, when, as we have seen, he was estranged from his kinsfolk, but it carries us back to the year 1517, and shows us how he arranged for the care and maintenance of his family and servants during the three years of absence for which he made provision when he attempted his voyage to the New Found Lands.

It appears that Staverton in 1534 had taken action against Rastell for the fulfilment of outstanding obligations, and Rastell had counterclaimed against his brother-in-law and Dame Alice by submitting a reckoning that went back to the time when he "went over the seas into Yreland". It appears that he had arranged, by prepayment, with Sir John More to keep his wife and servants for three years—apparently the time he expected to elapse before he returned from the New Found Lands. After his departure his wife, Mistress Rastell, entrusted to Staverton the sale of certain goods of her husband's lying on a quay near Billingsgate, as well as the collection of certain rents in London and Middlesex. Staverton sold the goods and for two years collected the rents, paying the money to Sir John More, who, when Rastell (after two years) "came home and requyryd the seyde money" said that what he had received from Staverton was due from Staverton himself. Rastell claimed therefore that in any reckoning between them Staverton should deduct this amount. Further, seeing that he had agreed with Sir John More for the maintenance of his family for three years, but had in fact only been absent for two, he claimed from Lady Alice and Sir John's estate £30 due to him. These family arrangements undoubtedly refer to the period of the voyage. Rastell therefore, we gather, remained in Ireland from the summer of 1517 to some time in 1519, and seeing that he

deferred the prosecution of Ravyn until November 1519, this seems more than likely. He probably, therefore, wrote the play of the *Four Elements* in Ireland, and if we may judge from his reference in the play to "Ireland that holsome ground," he was not unhappy there.

He has left us a brief record of his opinion of the manners of the "wild Irish" in a passage in his *Pastyme of People* (1529). Speaking of the Danes in the time of Ethelred he writes:

These Danys before were so proud yt they kept the husbontmen like vyleyns; they lay in theyr housys, and ate and drank, and payed nought, and kept theyr wyfes doughters and servauntes at theyr plesurys as the kernys and galowglashes do now in Yreland.¹

But if he was critical of the ways and habits of the Irish soldiery, he was alive to their readiness of wit. In his *Hundred Merry Tales* (1525) we find the following anecdote:

One callyd Oconer an Yrish lorde toke an horseman prysoner that was one of hys gret enimys / whiche for any request or yntrety y^t ye horsman made gave ingement that he shulde incontynent be hangyd / and made a frere to shryve hym and bad hym make redy to dye. Thys frere y^t shrove hym examyned hym of dyuers synes & askyd hym among othere whyche were the gretyste synnys that ever he dyde / thys horseman answeryd & sayde . . . when I toke Oconer the laste weke in a church and ther I myght have brennyd hym church and all . . . that same deferring of brennyng of the church . . . is one of the worst actys y^t ever I dyd wherof I moste repente . . . and I wyll never change y^t mynde what so ever shall come to my soule. This frere . . . cam to Oconer and seyde in ye name of God have some pyte uppon thys mannys sowle and let hym not dye tyll he be in a better mynde. . . . The horsman heryng ye frere thus intrete for hym sayd to Oconer thus / Oconer thou seyst by thys mannys reporte y^t yf I dye now I am out of Charyte . . . but thou seest well y^t this frere ys a good man he is now well disposyd and in charyte / and he is redy to go to heven & so am not

¹ Spenser describes a *galloglas* as a footman, servitour or yeoman, and a *kerne* as "the proper Irish soldier". He praises them as "very great scornors of death", making as worthy a soldier as any nation, "but he condemns their way of life as "common ravishers of women", men who spoil as well the subject as the enemy".—*Present State of Ireland*.

I / therefore I pray the hang up thys frere . . . and let me tary tyl a nother tyme y^t I may be in charyte and redy and mete to go to hevyn. This Oconer heryng this mad answere . . . sparyd the man and forgave hym hys lyfe at that season.

On 25th October, 1519, after his return from Ireland, Rastell printed a work that may have occupied him during his absence. The *Abbreviation of the Statutes* is to be distinguished from Fitzherbert's *Abridgment of Cases*. It is a small Law Dictionary, whose peculiar distinction is that it is the first of its kind to be published in English. *Abridgments of the Statutes* had been printed by Pynson, Machlinia and others before 1500 in their original Law-French. It fell to Rastell to be the first to translate an Abridgment into English and publish it for the use of Law students. The significance of his enterprise is not to be underestimated. Translation was one of the most potent instruments of the New Learning as well as of the Reformation. The Latin Grammars of Colet, Lily and Linacre written in English were, like the New Testament of Erasmus, revolutionary. They disturbed a tradition of pedantry and clericalism. Professional obscurity, whether in law, medicine, theology or education, is not to be dissipated, however, except at the risk of condemnation for unprofessional conduct or even heresy. And just as the writer on golf warns his reader that all his instructions as to grip and stance count as nothing where a course of lessons is possible from his Club professional, so Rastell advises those of his readers who are in doubt to consult "some man that ys keryd in the laws".

Rastell's naïve and intimate preface, which in due course his son William piously republished, may be read in Herbert's *Ames*. It traces the history of Law-French, mentions the reforms of Edward III, who ordained that actions should be pleaded in English, and records how "the second Salomon", Henry VII, recognizing the amendment and growth of the vulgar tongue, decreed that the Statutes should henceforth be "endited, written, published and printed in English".

As in the earlier prefaces, we must particularly notice that Rastell protests that he is working for the commonweal, and if it be suggested that he "protesteth too much" we may point out that his prefaces are never addressed to a patron. "No person," says Latimer, "is born into the World for his own sake, but for the Commonweal's sake." The teaching of the Latimers and Rastells may have had no small share in the

development of the sense of statesmanship and patriotism that marked Elizabethan days.

The colophon of the *Abbreviacion* is of interest as showing that Rastell procured from the King a grant of monopoly protecting his work for seven years :

Thus endyth the abbreviaçon of statutes, translated out of French into English by John Rastell and Imprinted by the same John the XXV day of October in the XI yere of the reign of our sovereyn lord kyng Henry the VIII, with the pryvylege of our seyde sovereyn lord grauntyd to the seyde John, that no nother imprint agayn thys seid work nor no nother ellis where printyd of them sell wythin thys realme duryng the space of VII yeres next after this furst impression.

When the seven years had elapsed Rastell republished the work (1527) and possibly claimed a renewal of his monopoly in virtue thereof, despite the limitation implied in the phrase "after this first impression". If so, he failed; for Robert Redman issued in 1528 an edition differing little from Rastell's. Redman's relations with Rastell, however, are somewhat mysterious. I am of opinion that Rastell had an understanding with Redman.

RASTELL: APPENDIX III

LAW BOOKS AND PREFACES (1513-19)

THE three great Law Books that Rastell printed before he moved to Paul's Gate call for special notice. They were the *Liber Assisarum* (1513), the *Grand Abridgment* (1516), and the *Table of the Grand Abridgment* (12th February, 1518-19).

From the time of Edward I up to 1535, when they came to an end, there had been flowing the great stream of law reports or *Year Books*. These were arranged by terms, the Hilary Term (beginning 23rd or 24th January), the Easter Term (beginning seventeen days after Easter Day), the Trinity Term (beginning on the Wednesday after Corpus Christi day), and the Michaelmas Term (beginning on the 9th or 10th October). It is to these Terms and to his collection of *Year Books* that Chaucer refers when he says of his Serjeant of Law :

In *termes* hadde he caas and doomes alle
That fro the tyme of kyng William were falle.

In the *Grand Abridgment*, by Anthony Fitzherbert, for some time Recorder of Coventry, we have a concise summary of the *Year Books*, to which it formed a useful index, just as they are themselves the best index to the Pleas enrolled. There are three important *Abridgments* - by Nicholas Statham, printed by Tailleure of Rouen about 1490; by Fitzherbert, printed by Rastell (1516); and by Sir Robert Broke, printed by Tottel (1568). The Law Reports of Edward III were subjected to a second and independent summarization in the *Boke of the Assises*. These are more concise than the *Year Books*, giving rather the gist of the argument and the decision than a report of proceedings, but they are fuller than the *Abridgments*.

The *Liber Assisarum* was Rastell's first big book. Though undated, it undoubtedly belongs to the year 1513. His son William so dates it in his re-issue, printed by Tottel in 1561, when he repeated the "Prologus Johannis Rastel in laudam

legum, Anno V Henricus VIII". John Rastell had himself indicated the date on page 5 of his edition in the list he gives of the judges on circuit :

Here folow the names of the sherys in englande and the names of the Justices of every cyrcute in the fyft yere (i.e. 1513) of the rayne of our sovereign lord kyng henry the VIII.

In the dated edition (1561) of William Rastell's *Le Liver des Assises* we find similarly recorded :

Here folow the names of the sheres . . . in the third yere of the raign of our souerain Lady Elizabeth.

And whilst among the judges in the earlier list we find Sir John More, we find in the latter Wilhelmus Rastell unus Justic. dñe regine. In each case the list of judges is correct for the year of publication.

The substance of John Rastell's first preface, piously and very properly reproduced, as we have seen, in 1561 by his son, may be abbreviated as follows :

Throughout the nations of the civilized world nothing is held more worthy than the commonweal, and he is most praised and honourably renowned who most endeavours to augment it. Yet poets, orators, philosophers and learned men have failed to agree as to what constitutes this commonweal. Some say that it consists in abundant riches, some in power and strength, some in honour and glory, others, like the Romans, in a combination of riches, power and glory. To Rastell, whatever it is, it "must needs of itself be a good thing, where unto some goodness naturally is annexed"; for God, "the fountain of all goodness", has implanted in man a universal love and zeal towards it.

Being therefore in itself a good thing, the furtherance of the commonweal cannot involve the doing of any evil to others. Now the pursuit of wealth involves the poverty of others, great puissance in one nation implies relative weakness in another, and great glory a corresponding shame and reproof. Wealth, power and glory are therefore in themselves evil things, since they cannot be achieved except at the cost of impoverishment, subjection and humiliation. They cannot, for that reason, constitute the commonweal.

"Now under correction," he continues, "after myne opinon

the comenwell resteth nother in increasing of riches, powre nor honours, but in the increasing of good maners and condicions of men wherby they may be reduced to know god, to honoure god, to love god-and to lyve in a continuall love and tranquylite with theyr neyghbors."

But to attain this end it is expedient to use bridle and spur; by good and reasonable ordinances and laws to lead and direct men to "use good maners and condicions" in a sincere and pure love and charity among their neighbours. Nature, however, has not given to man or to any other creatures any natural will towards such a universal charity. It must therefore be attained by aid of "a mean", which mean is none other than the instruction and direction of good and reasonable laws and ordinances. These laws are of divine origin. For as Nature is but the final instrument of Providence, "which orders and conserves the singular kinds of thinges" needful to man, whether the elements, trees, herbs, fruits, fish, fowl or brute beasts, so the same Providence conserves man himself by the order of reasonable laws. It follows that such laws must be good in themselves, and that it is a right good and honourable thing to make and ordain them. So also to write the laws, to study, learn and teach them, is a life good and virtuous, and finally, to execute them truly and justly is "an act right good and meritorious".

The commonweal therefore consists rather in the augmenting and preserving of laws than in riches, power and honour, and they who busy themselves in making, ordering, writing, learning or teaching the laws or in executing them truly and justly are thereby greatly increasing and multiplying the commonweal.

This being true of laws generally, it is particularly true of the laws of England, as Judge Fortescue showed in his book, *De laudibus legum Angliæ*. He (Rastell) has therefore been moved to compile the *Boke of the Assises* and to "the imprinting of the same". He proposes further to print another book, "a grete boke of abbregementes of arguyd cases", containing six or seven hundred leaves of great paper "with divers great tables longing therto . . . nomberid with figures of algorism". In this work he will have the aid of others, "for he himself is small of learning and discretion".

There then follows an explanation of the table or index of the *Liber Assisarum*, important because it contains references not only to the cases argued in the *Liber Assisarum*, but to the same cases as abridged in Fitzherbert, which shows that Rastell

had the latter book before him in MS. for the second set of references, and this manuscript "by goddes grace (in as convenient tyme as can be) shal be imprinted".

Finally an interesting page is devoted to an exposition of the Arabic system of numeration, for "every man can not rede wel nor understand the nombres of algorisme". An hour will suffice to learn the system "without any other techer". We may add that though Caxton uses arabic numerals for signatures, Rastell was the first English printer to use them exclusively.

Rastell published his second work, the *Grand Abridgment*, without a preface, but his third work, the *Tabula*, has an important Latin Prologue setting out his principles.

The universe, with its infinite variety of existences, was created not of necessity but of the mere love of God, that all creatures might participate in His goodness. The obedience of so infinite a diversity of beings to the fiats or inhibitions of the law of their kind has led to the conception of *Universal Law*. Law is threefold, Divine, Human and Natural. He who diligently follows the dictates of the Divine Law, observing his duty towards God and his neighbour, has as reward *Eternal Life*. *Human Law*, sanctioned by human reason, constrains men to live with one another in peace; its precepts being threefold: a man shall not injure his neighbour, shall not deprive him of his goods, and he shall be free to make good disposition of his own possessions. The reward of obedience to Human Law is a tranquil life here upon earth. *Natural Law* is an instinct prompting all animals to self-preservation, the avoidance of pain, the nourishment of the body, and the procreation of their kind. There is no reward for those that live by Natural Law but death. Man, however, being a rational animal, may, by observing the precepts of Divine Law, win its reward, but by following only his animal instincts his reward shall be death. Man, therefore, while following the dictates of the law of Nature, ought to observe also the Laws Divine and Human, that he may live in tranquillity here on earth, and win eternal felicity hereafter.

It is somewhat pathetic to find that when Rastell fell into the hands of Cranmer in 1536, and was cast into prison to die, he defended his views on tithes by arguing that it was against the *laws of God, of Nature and of Man* that the clergy should injure the poor by claiming their living "under the name of tithes, oblacons, or any other (charges) by title of custom prescribed".

The Bishop of Winchester replied: " Mr. Rastell what ye meane by the law of nature, of man and of God, I can not tell, but of this I am sure that the vilest partes in the creature of nature takes most labours and paynes / and contrary the chiefest members whiche are set next to the noble bloud labour least. And as concernyng the law of man, etc. . . .

" To whiche reasons Mr. Rastell made no answer, but song agayne his old song / of which the Archbishop of Canterburie was werye and said if he had any new reasons they shuld be heard / but as for the old they be sufficiently knowen".—
(Record Office, *Theological Tracts*, IX. 19.)

RASTELL: APPENDIX IV

"THE PASTYME OF PEOPLE"

DURING the year 1529 Rastell was engaged on the compilation of his well-known chronicle, *The Pastyme of People*. Like Fabyan, whose *Chronicle*, printed by Pynson in 1516, he follows closely, he closes with the reign of Richard III, and he contributes therefore nothing directly to our knowledge of his own time. Yet the fidelity with which he borrows the phraseology of his predecessor has its value, for it enables us at once to indicate his own contributions or asides. These give to the *Pastyme* an independent value, and merit special consideration. Equally independent are the bold woodcuts of the kings of England from William I to Richard III. Rastell may have taken the idea of these from the portraits of the kings of England in the fifteenth-century window of St. Mary's Hall, Coventry, whilst the boldness of the lines, the general disposition of the designs and the accompaniment of armorial shields suggest that his illustrations may also have been designed originally for a series of figures in stained glass.

It is proposed to gather here some of the more striking of the comments and critical additions that give to the *Pastyme* its value as an index to the mind of its compiler.

In the Prologue he traverses the legendary origin of the name of Albion and Geoffrey of Monmouth's story of Brute, of whom he points out that Gildas and Bede have nothing to say. It was Caesar, he insists, who first described Britain, and this claim for a more critical appreciation of Caesar's *Commentaries* gains interest, as we have seen, from the fact that William Rastell in 1530, shortly after the Prologue was written, printed the first English text and translation of the chapters referring to Britain.

The same critical attitude is found in the account of Bladud, the legendary founder of Bath, "a grete nigromancer who by that craft made there the hote Bathys"; but philosophers hold,

he adds, that as there are in Italy and elsewhere hot fumes and smokings perpetually rising from the earth, so when any "well spring brekyth out . . . when such a hote fume is nigh joyning . . . then it will naturally make the water hote".

Like Polydore Vergil, he writes sceptically and at length of Geoffrey of Monmouth's account of Arthur, pointing out that Bede, who wrote of the British kings before and after him, does not mention him. Indeed, "some suppose that Galfryde wrote that story for affection, because he was a Welchman borne in the tyme of King Henry the II". He adds that there was hanging on the shrine of St. Edward at Westminster a seal bearing the legend, "Arthurus patricius Brittaniae Gallie et Dacie Imperator", taken from a supposed deed granted by Arthur to the Abbey, but this too would seem "to be a thyng fayned of late by some man havynge affection to Arthur", for the Abbey was founded after Arthur's time on "a wyld busshe place . . . callyd Thorney". He doubts the existence of pre-Conquest seals of wax. He is sceptical too of Geoffrey's story of the death of Ursula and her maidens at Cologne, and he refers to his blunders in dealing with Ina, King of Wessex.

Rastell's criticisms show his lines of interest or his own experience when he likens the Danes to the Kernys and Galowglashies of his own day in Ireland, or when he decides that if William II built Westminster Hall, it must have been an earlier building, seeing that in the stone and timber work the arms are those of Richard II, the three lions and the fleurs-de-lis quarterly with the badge of the white hart. The foundations, he says, may be possibly Rufus' work or that part of the White Hall "above the steyses". In any case no king of England bore the arms of France before Edward III; and on points of heraldry Rastell is sound, as the shields on his royal portraits show. Similarly we may cite under Aurelius Ambrose the disquisition on the nature of the stones at Stonehenge. His comment too on the beginning of printing at Mayence is characteristic: "which craft is nowe mervaylously increasyd . . . and have been the cause of many thynges and great chaunges, and is lyke to be the cause of many straunge thynges here after to come."

In his reference to the foundation of the Order of the Garter by Edward III, he says that some hold that the founder was Richard I, who honoured twenty-six knights who had fought grimly at Acre by conferring upon them the distinction of



FROM 'THE PASTIME OF PEOPLE'



FROM THE FIFTEENTH-CENTURY WINDOW
IN ST MARY'S HALL, COVENTRY

WILLIAM THE CONQUEROR

wearing thongs of blue leather about their legs, whence they were called "Knyghtes of the blew thong".

In John's reign, Fabyan does not mention Magna Carta, but Rastell not only tells of the meeting near Staines at "Runney Mede", but emphasizes the confirmation of the charter in the eighth year of Henry III, and the addition then of certain articles touching wardship and marriage. He was professionally interested in legal history, and writes in praise of the "Westminster primer" with its "goodly statutes", of felonious clerks, of assise, of pleas of land and attainments. He is full of praise for the wisdom of Edward III and the many good statutes his twenty-five Parliaments added to the books. He established the laws "mervelously well". The same legal interest is seen in his note on the dating of records after the restoration of Henry VI, when he tells us "all wrytynges and recordes were made and dated thus: 'Anno ab instauratione regni regis Henrici Sexti quadragesimo nono, et anno readoptionis sui regii magestatis primo'".

He was much interested in measures and money values. Speaking of a dearth in the reign of Edward I, when corn sold at forty shillings a quarter, he explains the price by pointing out that then an ounce of silver made twenty pence; whereas Henry VI lowered the value of money by coining thirty pence from the ounce, Edward IV forty pence, whilst in his own day Henry VIII had made the ounce run to three shillings and eight pence. Yet the weight of an ounce troy had "remained ever at one stynt, namely that thirty-two greynes of whete drye and ponde, and takyn in the middes of ye ere shuld wey a sterlynge peny; and twenty of those sterlynge pens shulde make an unce and twelve unce shulde make a ponde troy; and VIII pounds troy shuld wey a galon of wyne; and VIII galons of wine shulde make a busshel of London, which is the VIII parte of a quarter". In speaking of the depreciation of the current coin, he carefully distinguishes, therefore, the penny sterling (or twentieth part of the ounce) from the forty-four parts of an ounce, "callyd IIIs and VIIIId." When Edward III established his coinage of gold and silver, he ordained that the twenty pence sterling should make a farthing of gold, twelve of which farthings should weigh an ounce.

It was Rastell's interest in money values that led him to disclose the date of his writing. In the section dealing with the reign of Henry IV we read that Richard II left treasure to the value of seven thousand pounds. "But yet here," he

adds "ye must note that X/s in these dayes was better than X/s is at this present day, whyche is nowe the XXI yere of our souerayn kynge Henry VIII (1529), for at those dayes V grotes made an ounce and nowe at this day XI grotes maketh an ounce." (Grote = four pence sterling.) He shows the same interest in measures. The standard foot was determined, he says, under Henry III; "III barley corns, drye and rounde shulde make an ynche and XII ynches to a fote, and III fote to a yarde and V yardes and a halfe to a perche or pole, and XL pole in lengthe and four in brede, to make an acre of lande", which standards of weight and length, he tells us, were confirmed by Edward III, Henry VI, Edward IV, and in the XI year of Henry VII.

It is not surprising, in view of the interest he betrays in measures, that Rastell acted on a Commission in 1533 granting acquittance to the Goldsmiths, who minted at the Tower for the legitimacy of their minting from March to October, "the money having been found good".

There are certain interesting minor departures from Fabyan that show that Rastell made independent use of the earlier authorities. Thus among the thirty-two kings whose names alone appear in Fabyan as ruling after Elidorus, Rastell distinguishes Bledgabredus the twenty-third by adding: "He excelled all other in connyng of musyk, and in pleying uppon all maner of instrumentys of musyk, that the people callyd hym the god of melody". What though Bledgabredus be but the shadow of a shade, he seems to say, there have been and are gods of melody.

In the same way he honours Gerbonianus, son of Morwyd, "who byldyd Camebryge and Grauntani, and was welbelovyd of his people" because "he maynteynd poore laborers and husbandmen, and wold suffer no lord nor other to do them wrong".

And this leads us to one of Rastell's most characteristic asides. It should be noticed first, however, that the *Pastyme* contains a summary of Roman history omitted by Fabyan. Under the article "Publius Valerius Publicola", he notes with approval that Roman Dictators were held responsible at the end of their term of office for all acts of injustice, and "answerable to all byllis and complayntis" alleged against them. Hence, he says, arose the "indyffrent justyce" of the Romans, as well as their greatness and high renown. "Wold God it were so usyd ât this day in England, that every juggle

or other offycers havynge auctoryte to execute y^e lawis or to gouerne or to rule in any office should be remouable at IIII or V yere or lesse, and then to answeere to all complayntes that shuld be allegid agayns him . . . and then ther wold not be so much extorcione and oppresseione of the pore people, nor so many iniuries as is now a days ". He returns to this point in speaking of Edward I and the Inquisition of Trolbaston, when a searching inquiry was made into the misdemeanours of mayors, sheriffs, bailiffs, escheators and others whereby the king's coffers were filled. " Nevertheless," adds Rastell, " the kyng did greate good . . . for those offenders were . . . moche more meeker and better, and the pore commons lyved in moche more rest and peace."

Another notable departure from Fabyan is found in his attention to the tortures and dreadful deaths of Edward II, Humphrey, Duke of Gloucester, and of the two princes. The account of the opinions held in Rastell's day of the pitiful tragedy of the young princes has a peculiar interest as being the only contemporary event recorded in the *Pastyme* on which Rastell speaks with independence.

Despite the fact that the *Pastyme* makes no claim to be more than a brief compilation or outline, we have shown that it has a peculiar value as the work of a known writer of independent views. He had the critical instinct that goes to the making of a historian; he was a man of liberal views with a keen sense of the claims of the "poor commons", but perhaps his deeper convictions were nowhere more simply or sincerely expressed than in the Roman section under Augustus, where we read:

In the xlii year of his empyre, Jhesu Chryste, the son of God, and second person in Trinite, took mannes nature, and was borne in the cyte of Bedlem in Jury, of the Virgyn Mary, concyvyd without mannes seed, by the inspiracyon of the Holy Gost, as apperith in the bokes of the IIII Evangelistis, Mark, Mathew, Luke and John, which wrote of his godhead, manhood, workes and myracles. He taught and prechyd a new law, exorting all men to meeknes and charite, rebuking syn and despising war; all contrary to the mindes of the gret kinges and gouernours of the Romans and sich other; but he dyspisyd all worldly honour, conquest and victory, and taught and exortid everi man to love his enemy, and to do good for yuyll.

His *Pastyme of People* is a strange commentary on the practice of this simple and difficult doctrine, yet that Rastell himself could deal generously with an ancient enemy is shown by the simplicity with which he refers to the life and death of "La Pusell de Dieu or the Mayde of God", refraining entirely from repeating I'abyan's reference to "sorcery and devilish ways".

RASTELL: APPENDIX V

THE PROLOGUE TO THE "NEW BOOK OF
PURGATORY"

A NEW boke of purgatory / whiche is a dyaloge and disputacyon between one Comyngo an Almayne a christen man / and on(e) Gyngemyn a turke of Machomettes law / dysputyng by natural reason and good philosophye / whether ther be a purgatorye or no purgatorye. which boke is devyded into thre dyalogys

The fyrst dyaloge sheweth and treateth of the merveyulous exystens of god.

The seconde dyaloge treateth of the immortalyte of mannys soule.

The thyrde dyaloge treateth of purgatory.

THE PROLOGE OF THE AUCTOR.

It haapēyed so but late that for dyvers besynes and other affayres concernynge myself I toke a vyage out of this realme and passyd over the narow Occyan see, and travaylyd into dyvers farre countreys in the eest partys / and at the last as it was my chaunce I came into a great cytye / where I made myn abode and there taryed by the space of XX dayes or above / in the whyche cytye there usyth contynually to resorte a great companye of marchauntys / whyche be borne in sondrye and dyvers nacyons / whyche be not onely Englyshmen / Frenchmen / Spanyardes / Almaynes / and other dyvers Christian men / but also they yt be Turkes and Saraciens / and other that be of Machametys lawe.

And bycause of interchaungynge of marchaundyse ye sayd marchauntys do dayly meet togyder in dyvers placys within the same cytye / and whan they have talked togyder of thynges

concernyng theyr own besynes / yet for a recreacyon amonge
 them self / they be desyrours eche of other to know news and
 straunge thynges of other contrees. And as it happenyd to me
 on a season to be in compaigne of dyvers of these marchauntys /
 amonge them all speyall there were II of them / of the whyche
 one was a turke called Gyngemyn borne under Machometys law /
 and ye other was a Christenman callyd Comyngo / borne in hys
 Almayn / whyche were of olde famylyer accoyntaunce / and
 bothe of them men of great wytte and of good lernynge / and
 speyally ye turk / whyche was well lernyd bothe in morall
 phylosophye and naturall / betwene whom I herde mych good
 communycacion / argumentys and réasons / whych lyked me very
 well / and so wel pleased me that immediatly after that I toke
 penne and ynk and tytled it in wrytynge / and reported every
 argument and reason as nygh as my wytte and remembraunce
 wold serue me / after the maner as here after foloweth in this
 lytell booke. And in the begynnyng of theyr sayd communy-
 cacion Comyngo the Almayn asked of Gyngemyn the Turke
 what tythynges or newes were in his contrey / whych Gyngemyn
 shewed hym of the great warres whych ye great Turke had
 lately had in dyvers places / as well as of the great sege of ye
 Rodes / as of the great batayles / whych he had lately had in
 hungarye. But yet the sayde Gyngemyn was not so glad to
 tel the tythynges and news in and about his contrey / as he
 was desyrours to knowe of some straunge news in other places
 in Christendom. And oft tymes required this Comyngo to shew
 hym some new tythynges of his contrey. To ye whych Comyngo
 the Almayne answered and shewed hym that there was a newe
 varyaunce in Christendome and a scysme begonne of late amonge
 the people there / concernyng theyr fayth and beleve / and sayd
 that there was a new opinyon spronge among the people / that
 there is no purgatory / nor that the soule of man after it is
 separate from the body / shal never be purged nor purifyed of
 no synne that remaineth therein / but yt it shal immediatly
 after it is separate from the body / go to heven to eternall ioy
 and salvacyon / or ellys to hell to eternall payne and damp-
 nacyon. To whom Gyngemyn answered and sayd that ye
 opinyon was but folysh and agayns all good naturall reason /
 by cause that all people in ye world of what contrey so ever
 they have been or be / or of what law and secte so ever they
 have been or be / as wel the Panyms / the Jewes / and you that
 be of Chrysten fayth / and we that be of Machomets law / and
 all other that ever lyved or do lyve after the order of any good

reason / have ever byleved and do byleve that there is a purgatory / where mannes soules shall be purged after this mortall lyfe. Therfore quod he I mervell greatly that there shuld any such fond opynyon begynne amonge the people now in any contrey / consyderynge yt there is no reason to maynteyne theyr opynyon that ever I coude here. To whom Comyngo ye Almayne answered and sayd that they had dyvers reasons to maynteyne theyr opinion there.

(Here follow in seven statements Comyngo's exposition of "the reasons of them that holde opynyon that there is no purgatory").

To whom this Gyngemyn the turke anone answered and sayd / that as for all these reasons they me be sone answered and avoyded / and yf thou wylt gyve to me dylygent heryng / I shall gyve the suffycient solucions to al those reasons and satisfye thy mynde. And further I shal prove to thee by other argumentes and by natural reason and good phylosophye / yt there must nedys be a purgatory / where ye soule of man after yt is separat from the body / shalbe purged and purifyed. To whom then Comyngo sayde / yt he wold be marvelous glad to here his mynde therin. To whom this Gyngemyn then sayd / yt he must immedyatly go in to the strete to speke with a marchaunt / to aske of hym but one short question touchyng ye besynes of his marchaundyse / and sayd that he wold retorne agayne incontynent / which as he sayd / he dyd / and taryed not long but shortly cam agayn. And as sone as ever they were mete there agayn / they began theyr communycacion / and Comyngo ye Almayn began fyrst to speke / and sayd as hereafter now foloweth.

Finis prologi.